



Crl.O.P.(MD)No.17148 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17148 of 2024

1.N.Navin

2.K.Vijayalakshmi

3.N.Nivetha

4.C.Suganthan

5.S.Chandrasekaran

6.K.Vanaja

... Petitioners

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil – 629 001.

2.The Inspector of Police,
All Women Police Station,
Kanyakumari- 629 702.

3.E.L.Shobana

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 and 2 not to harass the petitioners under the guise enquiry on the purported complaint given by the third respondent.



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For Petitioners : Mr.R.Murugan
For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)
for R1 & R2.
: Mr.C.Dhanaseelan, for R3.

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to direct the respondents 1 and 2 not to harass the petitioners under the guise enquiry on the purported complaint given by the third respondent.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the State.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that the third respondent, who is the wife of the first petitioner, has lodged a complaint against her husband and in-laws and on that basis, CSR.No.352 of 2024 came to be registered and enquiry is pending.



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4. Recording the submission made by the learned Additional Public Prosecutor and also taking into account the overall facts and circumstances, the following directions are issued:-

“(a) The second respondent will issue written summons to the petitioner and to the private respondents for causing their appearance before him for enquiry. There is no question of orally summoning the parties to the police station.

(b) The second respondent will conclude the enquiry within a period of two weeks from the date of receipt of a copy of this order.

(c) If at the end of the enquiry, cognizable offence is made out and the second respondent proposes to register any FIR, the petitioner will be given notice of the same so that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.”

5. With the above directions, this Criminal Original Petition stands disposed of.

14.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das



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K.MURALI SHANKAR,J.

das

To

- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil – 629 001.
- 2.The Inspector of Police,
All Women Police Station,
Kanyakumari- 629 702.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.17148 of 2024

Dated: 14.10.2024