



Crl.O.P.(MD)No.18995 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

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Tamilarasi

.... Petitioner

Vs.

1. The Deputy Inspector General of Police
Southern Range, Madurai
2. The Superintendent of Police
Madurai District
3. The Deputy Superintendent of Police
Melur Sub Division
Madurai District
4. The Inspector of Police
Serious Crime Squad,
Madurai District
5. The Inspector of Police
Melur Police Station
Madurai District
6. The Inspector of Police
Circuit Inspector
Silaiman Police Station
Madurai District

.... Respondents



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PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the third respondent police to not to harass the petitioner against the respondent police 4 to 6.

For Petitioner : Mr.J.Vijayaraja

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the third respondent police to not to harass the petitioner against the respondent police 4 to 6.

2. The petitioner had send representation to the respondents on 18.10.2024 stating that she and her husband had two sons namely Bhuvaneshwaran and Kamesh @ Kameshwaran. For the past one year her husband Eswaran and one of her son Kamesh @ Kameshwaran are confined in Central Prison at Coimbatore in connection with a murder case. Her other son Bhuvaneshwaran was employed in a factory at Tirupur and he is residing there. While being so, the respondent police often entered into the house of the petitioner intruding her privacy and also threatened her for no reason. The petitioner has also fixed CCTV camera



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focusing the main entrance of her house. Despite the same, the police at odd hours entering the house of the petitioner and threatening her. On 16.10.2024 at about 5.30 pm., special team consisting of more than five police personnels had entered into the house of the petitioner with their boots abused her and also threatened her. The petitioner's husband and one of her son are in prison. If at all any enquiry with regard to the criminal case is concerned and in the event of any enquiry with regard to the incident, the appropriate notice under Section 160 of Cr.P.C/179 of BNSS can be served to the petitioner but the respondent police without following the same using brute force and authority entered into the petitioner's house and threatened her. Hence the present petition has been filed.

3. The learned Additional Public Prosecutor submitted that the petitioner's son Kamesh @ Kameshwaran involved in a case in Crime No. 1664 of 2020 for the offence under Section 302 of IPC on the file of the Melur Police Station and investigation has been completed and final report has been filed. Recently the son of the petitioner involved in another murder case in Karur in Crime No.91 of 2024 and the investigation is in progress. The husband of the petitioner is also involved in a murder case.



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Their involvement are in sensitive case involving communal clash. As against the son of the petitioner H.S. No. 2 of 2024 had been opened for the purpose of maintaining records and find out the whereabouts and others visiting the house, for the purpose of verification special team formed and they only enquired and not entered into the house. Exaggerated complaint lodged as though intruding the privacy of the petitioner

4. On perusal of the materials, it is seen that it is not in dispute that the petitioner's son Kamesh @ Kameshwaran and her husband are confined in Central Prison at Coimbatore in a murder case which is sensitive in nature having communal angle and the petitioner's son is a history sheeted rowdy. The special team had gone to the house of the petitioner, standing outside the house and called the petitioner for verification. There is nothing to show that the respondent police had gone into house, threatened her and abused the petitioner.

5. The learned Additional Public Prosecutor submitted that it was only visit for verification and if the petitioner is required for enquiry or any other verification proper notice would be issued. At the same time he



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submitted that for keeping watch over the history sheetor law permits the police to have surveillance in such cases.

6. Observing as above, the Criminal Original Petition stands disposed of.

04.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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Southern Range, Madurai
2. The Superintendent of Police
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Melur Sub Division
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6. The Inspector of Police
Circuit Inspector
Silaiman Police Station
Madurai District

7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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