



Crl.O.P.(MD)No.19389 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19389 of 2024

Abinaya

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Samayanallur Police Station,
Samayanallur,
Madurai District.

3.Muthusaravanan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking a direction to the second respondent to provide adequate Police protection for the life and limb of the petitioner and her family members from the third respondent.

For Petitioner : Mr.V.Chandrapandi

For R1 and R2 : Mr.K.Sanjai Gandhi
Government Advocate
(Criminal side)



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ORDER

This order has to be read in conjunction with and in continuation of earlier proceedings made in the previous listing on 11.11.2024, which reads as follows:-

"The allegation of the petitioner is that the 3rd respondent has been introduced to her through a common friend. Thereafter, the 3rd respondent used to come to her house and started to play with her children and also do some helps to them. Later, taking advantage of the fact that the petitioner is a divorcee, he had made an inappropriate move against her and her minor daughter, who is aged about 12 years. Therefore, she kept away from him. However, he started to quarrel with her and tried to enter into her house forcefully. Therefore, she lodged a complaint before the Inspector of Police, All Women Police Station, Samayanallur against the 3rd respondent. Based on the complaint, the 3rd respondent appeared before the Police and gave a letter, assuring that he will not harass and threaten the petitioner in any manner. However, on 01.10.2024, when the petitioner went to grocery shop situated near her house, the 3rd respondent came there and scolded her. Therefore, the petitioner made a representation, seeking police protection to the 1st respondent on 05.10.2024. Since the same has not been considered so far, she has filed this petition.



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2.Mr.K.Sanjay Gandhi, learned Government Advocate takes notice for the respondents 1 and 2 and submits that based on the complaint given by the petitioner, C.S.R.No.825 of 2024 has been assigned and the 3rd respondent was summoned on 08.11.2024 and 09.11.2024. However, on both dates, he had not appeared. Therefore, he seeks a week time to conclude the enquiry proceedings and report before this Court.

3.At his request, post the matter on 14.11.2024."

2. Pursuant to the earlier order passed by this Court on 11.11.2024, the learned Government Advocate (Criminal Side) for the respondents has today produced a letter from the petitioner, dated 14.11.2024. In the said letter, the petitioner has stated that no further action is required against the said Saravanan, as he has mended his ways and is no longer interfering with the petitioner's private life or with her daughter.

3. The petitioner, a widow living with minor children, should not have to tolerate any form of misbehaviour or harassment. Taking advantage of her vulnerable position, the third respondent or any other individual is prohibited from engaging in such actions. If any such complaint arise, the respondent Police are hereby directed to take immediate and appropriate action against the perpetrator.



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4. Accordingly, this Criminal Original Petition is disposed of.

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14.11.2024

NCC : Yes / No
Index : Yes / No
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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Samayanallur Police Station,
Samayanallur,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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Order made in
Crl.O.P.(MD)No.19389 of 2024

Dated: 14.11.2024