



Crl.O.P.(MD)No.20250 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.20250 of 2024

1. Palaniyammal
2. Kannan

.. Petitioners

Vs.

1. The Superintendent of Police
Theni District
Theni

2. The Inspector of Police
Thenkarai Police Station
Periyakulam, Theni

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, directing the second respondent and their men not to harass the petitioners and their family members in the guise of enquiry without due process of law.

For Petitioners : Ms.K.Varshini

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to direct the second respondent and their men not to harass the petitioners and their family members in the guise of enquiry without due process of law.

2. The first petitioner is the wife of one Soni having three children and residing at Pandian Nagar, Alli Nagaram, Theni District. The contention of the first petitioner is that on 10.11.2024 at about 2.00 p.m., the Inspector of Police, Thenkarai Police Station, Theni District came to the house of the first petitioner shouted at the petitioner, searched the husband of the petitioner in the house for more than 1^{1/2} hrs . The first petitioner is taking treatment for sleeping disorder and also having psychiatric disorder. Such activities of the police torture affects her mental and physical health. Hence she had sent a representation on 12.11.2024, but the police are constantly harassing her.

3. The learned Additional Public Prosecutor submitted that the husband of the first petitioner involved in a case in Crime No. 230 of 2012 and after investigation it was culminated into C.C. No.80 of 2017 and now pending before the learned Judicial Magistrate, Periyakulam. Since the



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husband of the first petitioner failed to appear before the trial Court Non Bailable Warrant was issued against him on 01.12.2023. The trial Court had directed the respondent police to execute the Non Bailable Warrant. Further during the crime meeting the Inspector of Police was called and directed to execute the warrant pending against the husband of the first petitioner without fail and report the same. Now steps have been taken to execute Non Bailable Warrant which cannot be termed as harassment.

4. The learned Additional Public Prosecutor further submitted that summons have been served to the first petitioner for appearance of her husband on 23.11.2024 @ 10.00 am.,

5. The learned counsel appearing for the petitioners submitted that the first petitioner will appear before the respondent police on 23.11.2024 @ 10.00 am., and give her explanation with regard to the whereabouts of her husband Soni and also ensure that Non Bailable Warrant will not be obstructed by the first petitioner in any manner.



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6. With the above direction, the Criminal Original Petition stands disposed of.

22.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 22.11.2024

To

1. The Superintendent of Police
Theni District
Theni
2. The Inspector of Police
Thenkarai Police Station
Periyakulam, Theni
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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