



Crl.O.P.(MD)No.20271 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.20271 of 2024

K. Kuppammal

.. Petitioner

Vs.

1. The Superintendent of Police
Office of the Superintendent of Police
Madurai District.
2. The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Thirumangalam, Madurai District
3. The Inspector of Police
Sindhupatti Police Station
Madurai District

4. Jeyaram

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, directing the third Respondent not to harass the petitioner and her family members on the basis of the representation dated 13.11.2024

For Petitioner : Mr.K.Arunraj

For Respondents : Mr.A.Thiruvadi Kumar
No.1 to 3 Additional Public Prosecutor



Crl.O.P.(MD)No.20271 of 2024

ORDER

WEB COPY

This Criminal Original Petition has been filed to direct the third respondent to to harass the petitioner and her family members on the basis of the representation dated 13.11.2024.

2. The brother of the Kannan has sent a representation stating that under the guise of enquiry in Crime No. 202 of 2024 for the offences under Sections 115(2), 6351(2) of BNS Act and Section 6 POCSO Act has been called for enquiry at odd hours and harassed, hence the petition.

3. The learned Additional Public Prosecutor submitted that he petitioner's brother Son Pandidurai committed penetrative sexual assault on the 10 years old victim, hence the case was registered in Crime No. 202 of 2024 under Sections 115(2), 351(2) of BNS Act and Section 6 POCSO Act. The injury caused to the victim is very serious. The villagers have got agitated and they are going to the police station. When the respondent police had gone in search of the accused Pandidurai he along with his parents namely Kannan and his wife absconded. Information was received that the petitioner was harbouring them. Therefore for the purpose of



Crl.O.P.(MD)No.20271 of 2024

investigation the respondent police had gone in search of the absconding accused which cannot be termed as harassment.

4. Considering the fact that the respondent police had gone in search pursuant to the registration of the case in Crime No.202 of 2024 and the accused are absconding and the fact that the petitioner is none other than the aunt of accused Pandidurai and Pandidurai and his parents are absconding and in search of absconding accused to know whereabouts and the place of visit by the accused is enquiring and visiting the place, which cannot be termed as harassment.

5. In view of the same, the Criminal Original Petition stands dismissed.

21.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
aav



Crl.O.P.(MD)No.20271 of 2024

To

1. The Superintendent of Police
Office of the Superintendent of Police
Madurai District.
2. The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Thirumangalam, Madurai District
3. The Inspector of Police
Sindhupatti Police Station
Madurai District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.20271 of 2024

M.NIRMAL KUMAR,J.

aav

Crl.O.P.(MD)No.20271 of 2024

21.11.2024