



Crl.O.P.(MD)No.21422 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21422 of 2024

N.Hemabai

.. Petitioner

Vs.

The State of TamilNadu rep., by
1.The Commissioner of Police,
Madurai, Madurai District.

2.The Inspector of Police,
B5, South Gate Police Station,
Madurai District.

3.V.Banumathi Bai

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the respondents 1 and 2 and their officials not to harass the
petitioner unnecessarily against law under the guise of enquiry.

For Petitioner
For R1 & R2

: Mr.G.Sakthi Rao
: Mr.P.Kottaichamy
Government Advocate (crl.side)



ORDER

WEB COPY

The petitioner is being unnecessarily called in connection with Crime No.512 of 2023 and being harassed in the guise of enquiry. Further, the petitioner is employed in a private shop, the respondent police is also visiting her work place, which is causing concern to continue her employment. The petitioner so far had changed three houses, but still the respondent police have been continuing harass the petitioner in the guise of enquiry.

2. The learned Government Advocate (Crl.side), on instructions, would submit that one Banumathi Bai/ fourth respondent lodged a complaint on 25.11.2022 stating that when she and family members had return from Thirupathi, grill gate of her house and bureau was break open and gold jewel, silver articles were found missing. At the time, the petitioner's movement in the place of occurrence was noted and thereafter, the petitioner was called for enquiry. Since the petitioner have been giving contrary statement each time, she has been regularly called to verify the true facts, which now terms as harassment by the petitioner. Further, the petitioner was served with the summon and thereafter only, she



Crl.O.P.(MD)No.21422 of 2024

appeared for enquiry.

WEB COPY

3. The learned counsel for the petitioner would submit that the petitioner and Banumathi Bai /complainant in Crime No.512 of 2023 are relatives and there is a property dispute between them, for which, the petitioner has been harassed.

4. The learned Government Advocate (crl.side) refuting the same stated that the petitioner's movement was found doubtful at the relevant point of time. Hence, for the purpose of enquiry, she was called.

5. Considering the above submission, it is seen that the petitioner is suspected person. There is some materials found against her. For the purpose of investigation, the petitioner is required to appear before the respondent police. The respondent police had issued summon to the petitioner, thereafter only, the petitioner appeared, which cannot be termed as harassment. In view thereof, nothing survives for consideration in this petition. Accordingly, this Criminal Original Petition is dismissed.

06.12.2024



Crl.O.P.(MD)No.21422 of 2024

NCC : Yes/No
Index : Yes / No
Rmk



Crl.O.P.(MD)No.21422 of 2024

To

WEB COPY

- 1.The Commissioner of Police,
Madurai, Madurai District.
- 2.The Inspector of Police,
B5, South Gate Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.21422 of 2024

M.NIRMAL KUMAR,J.

Rmk

Crl.O.P.(MD)No.21422 of 2024

06.12.2024