



Crl.O.P.(MD)No.22610 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.22610 of 2024

Senthil Balamurugan

... Petitioner

Vs.

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

2.The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Puliyankudi, Tenkasi District.

3.Muthulakshmi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the second respondent Police not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.M.Viji

For R1 and R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

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The petitioner, who married the third respondent, deserted her, and has been living separately, had filed a petition for the restitution of conjugal rights, which has been ordered on 26.07.2023 in his favour. Coming to know about the same, the third respondent lodged a false complaint against the petitioner. The second respondent Police, under the guise of an enquiry, have been calling the petitioner at odd hours, causing harassment. The petitioner is a respected individual with a good reputation in society. Due to the Police summons, he has been looked down upon and has suffered significant humiliation. Hence, he has filed the present petition.

2. The learned Additional Public Prosecutor submitted that the petitioner had driven the third respondent out of the matrimonial home, and to cover up his actions, he filed for restitution of conjugal rights. The petitioner is also to be in an illicit relationship with another woman, which led the third respondent to file a complaint. Since the matter is a matrimonial dispute, the petitioner was called for enquiry to resolve the issue. However, the petitioner has refused to participate in the enquiry. If



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the petitioner continues to refuse, the respondent Police will have no option but to file an F.I.R. against him under Sections 498A and 494 of the IPC.

3. The learned counsel for the petitioner submitted that the petitioner is willing to appear before the respondent Police on **30.12.2024** and provide his explanation. After that, the respondent Police are directed to take appropriate action as per the law.

4. Recording the above said submission, this Criminal Original Petition is disposed of, directing the petitioner to appear before the respondent Police on **30.12.2024** and provide his explanation. Thereafter, the respondent Police are directed to take appropriate action in accordance with law.

NCC : Yes / No

20.12.2024

Index : Yes / No

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Note:- Issue order copy on 24.12.2024.



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To
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- 1.The Superintendent of Police,
Tenkasi, Tenkasi District.
- 2.The Inspector of Police,
All Women Police Station,
Puliyankudi, Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

smn2

Order made in
Crl.O.P.(MD)No.22610 of 2024

Dated: 20.12.2024