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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2025

CORAM:

THE HON'BLE MR.JUSTICE M. NIRMAL KUMAR

Crl.O.P(MD).No.1906 of 2025

1. Syedali Fathima

2. Jahir Hussain

3. Pathu Muthu Meharbanu

... Petitioners

Vs

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

2. The Inspector of Police,
AWPS, Pathamadai,
Tirunelveli District.

3. Raksana ... Respondents

Prayer: Criminal Original Petition filed under section 528 of BNSS to direct the 1st respondent to instruct the 2nd respondent not to harass the petitioners under the guise of enquiry without due process of law.

For Petitioners : Mr.Arunkumar.G,

For Respondents : Mr. E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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O R D E R

This Criminal Original petition has been filed to direct the 1st respondent to instruct the 2nd respondent not to harass the petitioners under the guise of enquiry without due process of law.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent Police. Perused the materials available on record.

3.It is the contention of the petitioners that they are the in-laws of the 3rd respondent. One Akram, who is the son of the petitioners had married the 3rd respondent on 02.10.2023. Since the 3rd respondent has suppressed her health ailments, she could not deliver a child. The same was questioned by the petitioners and their son, for which, the 3rd respondent has given a false complaint, as if, they were harassing her. A criminal colour is given to a matrimonial dispute.

4.The learned Additional Public Prosecutor submitted that the based on the complaint of the 3rd respondent enquiry has been conducted by the respondent police. Now the husband of the 3rd respondent has come to India from abroad. If the petitioners and the husband of the 3rd

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respondent ready to appear for enquiry, the issue will be resolved.

5.In view of the aforesaid submission, the petitioners, their son and the 3rd respondent are directed to appear before the 2nd respondent police on 05.02.2025, who in turn, conduct an enquiry on the complaint of the 3rd respondent and complete the investigation at the earliest.

6.With the above directions, this petition stands disposed of.

30.01.2025

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
PNM

To
1. The Superintendent of Police,
Tirunelveli District.

2. The Inspector of Police,
AWPS, Pathamadai,
Tirunelveli District.

3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai

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M. NIRMAL KUMAR, J.

PNM

ORDER IN
Crl.O.P(MD) No. 1906 of 2025

30.01.2025

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