



Crl.O.P.(MD)No.2578 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :12.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.2578 of 2025

1. M.Guhan

2. G. Kamala

3. G.Dinesh Kumar

4. D. Dhanalakshmi

... Petitioners

Vs

1. The State of Tamil Nadu,,
Represented by the Superintendent of Police,
Sivagangai.

2. The Deputy Superintendent of Police,
Thiruppathur,
Sivagangai District.

3. Vijitha

4. Thiyagarajan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the 2nd respondent not to interfere in the Matrimonial dispute on the guise of enquiry based on the Representation dated 30.01.2025.

For Petitioners : Mr.A.Arun Ramnath

For R-1 & R-2 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. side)



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ORDER

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This Criminal Original Petition has been filed to direct the 2nd respondent not to interfere in the Matrimonial dispute on the guise of enquiry based on the representation dated 30.01.2025.

2. According to the petitioners, there is a matrimonial dispute pending between the petitioners and the 3rd respondent. Therefore, the 3rd and 4th respondents have lodged a complaint before the 2nd respondent and taking advantage of the same, the 2nd respondent used to harass the petitioners by interfering with the matrimonial dispute. Already, a suit in O.S.No.8 of 2020 is also pending between the parties. Therefore, the petitioners sent a representation dated 30.01.2025 before the 2nd respondent not to interfere with the matrimonial dispute and the same has not been considered. Therefore, they filed this petition.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents no.1 and 2 would submit that they received the complaint from the 3rd and 4th respondents and based on the complaint, they called the petitioners for enquiry and C.S.R.No.424 of 2024 is also pending. They will complete the enquiry within a week.



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4. Considering the limited scope of the prayer of this petition, this Court without issuing notice to the 3rd and 4th respondents inclined to pass orders.

5. It is an admitted fact that the respondents no.3 and 4 have lodged a complaint as against the petitioners and the same is under enquiry by the 2nd respondent. Since there is a family dispute pending between the parties and the complaint lodged by the 3rd and 4th respondents is also under enquiry by the 2nd respondent, it is appropriate to direct the 2nd respondent to complete the enquiry proceedings and also consider the representation of the petitioners dated 30.01.2025 in accordance with law on merits.

6. Accordingly, this Criminal Original Petition is disposed of by directing the 2nd respondent to consider the representation of the petitioners dated 30.01.2025 in accordance with law on merits and to dispose the enquiry within one week from the date of this order. No costs.

12.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.,

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To

1. he Superintendent of Police,
Sivagangai.

2. The Deputy Superintendent of Police,
Thiruppathur,
Sivagangai District.

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

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