



Crl.O.P.(MD)No.2943 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :17.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.2943 of 2025

Rajamarthandan

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Karaikudi,
Sivagangai District.

2. Soundarya

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the 1st respondent not to harass the petitioner under the guise of enquiry without due process of law.

For Petitioner : Mr.V.S.Kumaraguru

For R-1 : Mr.M.Sakthi Kumar

Government Advocate (Crl.)

ORDER

This petition is filed by the petitioner to direct the first respondent not to harass the petitioner under the guise of enquiry without due process of law.



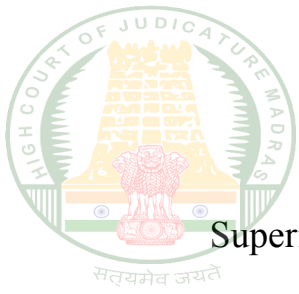
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2. According to the petitioner, he is the husband of the second respondent and there is a family dispute pending between the parties, thereby the second respondent lodged a complaint as against the petitioner. Based on the complaint of the second respondent, the first respondent police harassed the petitioner under the guise of enquiry. Therefore, he filed this petition.

3. The learned Government Advocate (Criminal Side) appearing for the first respondent would submit that that there is a family dispute pending between the petitioner and the second respondent and the petitioner has illegally taken the custody of the child from the second respondent, thereby the second respondent lodged a complaint and the same is under enquiry. Already the petitioner appeared before the first respondent and sought some adjournment, thereby they have adjourned the enquiry to some other date. Thereafter, the petitioner has failed to appear before the first respondent, however they will complete the enquiry and dispose the same within one week.

4. The learned counsel appearing for the petitioner would submit that after filing of the petition, the matter is now under enquiry by the Deputy



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Superintendent of Police, Sivagangai District. However, the learned Government Advocate for the first respondent would submit that the enquiry is still pending before the first respondent. Since there is a family dispute pending between the petitioner and the second respondent, the complaint also lodged by the second respondent and the same is now under enquiry by the first respondent, this Court directs the first respondent to complete the enquiry within one week in accordance with law from the date of this order.

5. With the above said observation and direction, this criminal original petition is disposed of. No costs.

17.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.,

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To

1. The Deputy Superintendent of Police,
Karaikudi,
Sivagangai District.

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

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