



Crl.O.P(MD)No.4559 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.4559 of 2025

Chelinmary

... Petitioner

Vs.

1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The Deputy Superintendent of Police,
Marthandam,
Kanyakumari District.

3.The Inspector of Police,
All Women Police Station,
Pudukkottai,
Kanyakumari District.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to direct the respondents to not to harass the petitioner and her daughters under the guise of enquiry by considering the petitioner's representation, dated 15.02.2025 and pass such further or other orders as this Court.

For Petitioner : Mr.R.Paranjothi



WEB COPY



Crl.O.P(MD)No.4559 of 2025

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents to not to harass the petitioner and her daughters under the guise of enquiry by considering the petitioner's representation, dated 15.02.2025.

2. According to the petitioner, the petitioner along with her daughters are residing at Door No.17/34/A2, Echanvilai, Iraviputhukkadai, Kattathurai Post, Kanyakumari District. While so, a case in Crime No.10 of 2020 under POCSO Act has been registered as against the petitioner's husband, namely, James Kennedy and now the petitioner not aware whereabouts the petitioner's husband. While so, the respondent police frequently went to the house of petitioner in odd hours and harassing the petitioner under the guise of enquiry. Therefore, the petitioner sent a representation, dated 15.02.2025 and the same has not been considered. Hence, the petitioner filed this petition.

3. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that the husband of the petitioner involved in



Crl.O.P(MD)No.4559 of 2025

WEB COPY

criminal case under the POCSO Act in Crime No.10 of 2020 and bail was granted to him. Thereafter, due to his non appearance, the Trial Court issued NBW against the petitioner's husband on 09.05.2022 and the same is pending for execution. The respondent police only for execution of NBW pending against the petitioner's husband searched the petitioner's husband and they have not harassed the petitioner as alleged by her during odd hours.

4. Considering the limited scope of prayer sought for in this petition and the respondents also admitted that they enquired the petitioner for execution of NBW pending against the petitioner's husband and not harassed the petitioner in anyway, this Court after recording the above said submission of the learned Government Advocate (Crl. Side) appearing for the respondents inclined to close this petition.

5. Accordingly, this Criminal Original Petition stands closed.

12.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



Crl.O.P(MD)No.4559 of 2025

WEB COPY

To

- 1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Marthandam,
Kanyakumari District.
- 3.The Inspector of Police,
All Women Police Station,
Pudukkottai,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.4559 of 2025

P.DHANABAL, J.

BTR

Crl.O.P(MD)No.4559 of 2025

12.03.2025