



Crl.O.P(MD)No.4413 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.4413 of 2025

T.Goutam

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its,
The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
All Woman Police Station,
Thallakulam,
Madurai District.

3.R.Divya

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to direct the second respondent not to harass the petitioner under the guise of enquiry by considering the petitioner's representation, dated 06.03.2025.



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For Petitioner : Mr.K.Sathish Kumar
for M/s.Subash Law Office

For R-1 & R-2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner under the guise of enquiry by considering the petitioner's representation, dated 06.03.2025.

2. According to the petitioner, there is a matrimonial dispute between the petitioner and the third respondent and the third respondent is mentally ill person and due to matrimonial dispute, the third respondent lodged a complaint against the petitioner before second respondent. Taking advantage of the same, the second respondent started to harass the petitioner in the name of enquiry. Therefore, the petitioner sent a representation, dated 06.03.2025 and the same has not been considered. Hence, the petitioner filed this petition.

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



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respondent and there is a matrimonial dispute between the parties and the petitioner took the 9 months old minor child from the third respondent and thereby, she lodged a complaint before the second respondent and based on the complaint, the second respondent called the petitioner for enquiry and the petitioner appeared for enquiry and assured to give the custody of child to the third respondent. But thereafter, he has not appeared. In the meantime, the third respondent lodged a complaint before the second respondent. There is no any harassment made by the second respondent as alleged by the petitioner. Therefore, the petition is liable to be dismissed.

4. Considering the limited scope of prayer sought for in this petition, this Court even without issuing notice to the third respondent inclined to dispose of this petition.

5. The prayer of the petitioner is to not to harass the petitioner by considering the representation of the petitioner, dated 06.03.2025. According the second respondent based on the complaint given by the third respondent, they called the petitioner for enquiry and he also appeared and thereafter, filed this petition. Since the petitioner enquiry is pending with the second



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respondent, this Court directs the second respondent to dispose of the petition in accordance with law, within a period of one (1) week from the date of this order.

6. With the above said observations and directions, this Criminal Original Petition stands disposed of.

11.03.2025

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

To

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
All Woman Police Station,
Thallakulam,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

BTR

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