



Crl.O.P(MD)No.4638 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.4638 of 2025

1.T.Gautam

2.E.Thambidurai

3.Mahalakshmi

... Petitioners

Vs.

1.The State of Tamil Nadu,
Represented by its,
The Superintendent of Police,
Madurai District,
Madurai.

2.The Inspector of Police,
Othakadai Police Station,
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 first petitioner's representation, dated 08.03.2025.



WEB COPY



Crl.O.P(MD)No.4638 of 2025

For Petitioners : Mr.K.Sathishkumar
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 first petitioner's representation, dated 08.03.2025.

2. According to the petitioners, there is a matrimonial dispute pending between the first petitioner and the third respondent. The third respondent is mentally suffered and thereby, she unable to maintain the 9 months old child and thereby, the petitioner is taking care of the minor child. While so, the third respondent lodged a complaint as against the petitioners with false allegations. Based on the above said complaint, the second respondent now started to harass the petitioners by insisting to appear for enquiry without following any procedures. Therefore, the petitioners sent a representation, dated 08.03.2025 and the same has not been considered. Hence, the petitioners filed this petition.



WEB COPY

3. The learned Government Advocate (Crl. Side) appearing for the official respondents would submit that the first petitioner illegally took the custody of the 9 months old child from the third respondent and thereby, she lodged a complaint and thereafter, when the third respondent went to the house of the petitioners, they threatened and assaulted the third respondent and thereby, she lodged a complaint. For enquiry purpose, they called the petitioners but the petitioners have not appeared. However, they will complete the enquiry on the complaint of the third respondent as well as the representation of the petitioners, dated 08.03.2025. They have not harassed the petitioners in anyway as alleged by the petitioners.

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

5. According to the petitioners, the second respondent harassed the petitioners under the guise of enquiry and thereby, the petitioners sent a representation on 08.03.2025 and the same has not been considered and according to the second respondent, based on the complaint given by the third



Crl.O.P(MD)No.4638 of 2025

WEB COPY

respondent, they called the petitioners for enquiry and now the enquiry is pending and they denied the allegation of harassment made by the petitioners.

6. Therefore, this Court recording the above said submission of the second respondent that they have not harassed the petitioners and only called the petitioners for enquiry, dispose of this petition by directing the second respondent to conduct an enquiry within a period of one (1) week from the date of this order in accordance with law.

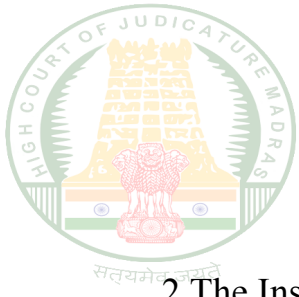
7. With the above said observations, this Criminal Original Petition stands disposed of.

12.03.2025

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

To

1.The Superintendent of Police,
Madurai District,
Madurai.



Crl.O.P(MD)No.4638 of 2025

2.The Inspector of Police,
Othakadai Police Station,
Madurai District.

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



WEB COPY



Crl.O.P(MD)No.4638 of 2025

P.DHANABAL, J.

BTR

Crl.O.P(MD)No.4638 of 2025

12.03.2025