



Crl.O.P(MD)No.5123 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.5123 of 2025

Muthulakshimi

... Petitioner

Vs.

1.The State of Tamilnadu,
Represented by,
The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2.The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District.

3.Sitheswaran

4.Yogaeshwaran

5.Vijayalakshmi

6.Sukla Devi

... Respondents



Crl.O.P(MD)No.5123 of 2025

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to direct the second respondent to not to harass the petitioner under the guise of enquiry on the basis of the petitioner is orally summoned and also not to threaten them to foist false cases and pass such further or other orders as this Court.

For Petitioner : Mr.S.Karthikeyan

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

For R-6 : Mr.Poornachandran

ORDER

This petition has been filed by the petitioner to direct the second respondent to not to harass the petitioner under the guise of enquiry.

2. According to the petitioner, the petitioner's husband owns ancestral properties in T.S.No.740/8, Virudhunagar. There is a property dispute pending between the petitioner's husband and the private respondents and thereby, the private respondents lodged a false complaint against her husband before the second respondent. Taking advantage of the same, the second respondent used



Crl.O.P(MD)No.5123 of 2025

WEB COPY

to harass the petitioner as well as her family members under the guise of enquiry. Therefore, the petitioner filed this petition.

3. The learned Counsel appearing for the sixth respondent would submit that the property belongs to the petitioner's ancestors and the petitioner's husband created encumbrance over the property by producing false document and thereby, they lodged a complaint against him before the second respondent.

4. The learned Government Advocate (Crl. Side) appearing for the official respondents would submit that based on the complaint given by one Sivamurugan, who is the son of the third respondent an FIR in Crime No.61 of 2025 was registered as against the petitioner's husband and prior to that, for enquiry purpose, they called the petitioner's husband, but he did not appear. However, they registered FIR thereafter, however, there was no any harassment made by the second respondent as alleged by the petitioner. Therefore, the petition is liable to be dismissed.

5. This Court had heard both sides and perused the materials available on record.



Crl.O.P(MD)No.5123 of 2025

WEB COPY

6. Considering the limited scope of prayer sought for in this petition, this Court even without issuing notice to the respondents 3 to 5 inclined to pass order in this petition.

7. The prayer sought for in this petition is to direct the second respondent not to harass the petitioner under the guise of enquiry. According to the second respondent, based on the complaint given by one Sivamurugan, son of third respondent they registered FIR against the petitioner's husband and they have not harassed the petitioner. Therefore, recording the above said submission of the second respondent that they have not harassed the petitioner and only called the petitioner's husband for investigation purpose, this Criminal Original Petition stands closed.

20.03.2025

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



Crl.O.P(MD)No.5123 of 2025

WEB COPY To

- 1.The Superintendent of police,
Office of the superintendent of Police,
Virudhunagar District.
- 2.The Inspector of police,
Virudhunagar East Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.5123 of 2025

P.DHANABAL, J.

BTR

Crl.O.P(MD)No.5123 of 2025

20.03.2025