

Crl.O.P.(MD)No.5999 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.5999 of 2025

Dinesh

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep by the Superintendent of Police,
Alagarkovil Road,
Surveyor Colony,
Madurai District.

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

3.Sheelarani

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS to direct the first respondent police to instruct the first respondent not to harass the petitioner under the guise of police enquiry without due process of law.

For Petitioner : Mr.K.Rajendran

For R1 & R2 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)



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ORDER

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

2. The learned counsel for the petitioner would submit that the third respondent is the wife of the petitioner and there is no matrimonial dispute pending between the petitioner and the third respondent. Already, they filed H.M.O.P.No.122 of 2024 before the Sub Court, Dindigul and the same is pending. While so, the third respondent lodged a false complaint against the petitioner. Based on the same, the second respondent called the petitioner under the guise of enquiry and insisted the petitioner to return the jewels. Therefore, the petitioner filed this petition.

3. The learned Government Advocate (Crl.Side) for the respondents 1 and 2 would submit that the third respondent, who is none other than the wife of the petitioner, lodged the complaint against the petitioner and for the enquiry, the second respondent called the petitioner and the petitioner also appeared for the enquiry and assured to return the gold articles. But,

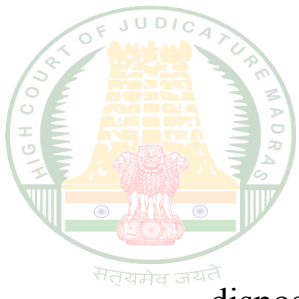


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without honouring his assurance, he filed this petition. However, the complaint of the third respondent is forwarded to the Social Welfare Department and after receipt of the report from the Social Welfare Department, they will take appropriate action in accordance with law. Further, the second respondent has not harassed the petitioner as alleged in the petition.

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

5. According to the petitioner, the second respondent harassed the petitioner, however, the second respondent denied the alleged harassment. Only based on the complaint of the third respondent, they called the petitioner for enquiry. Therefore, recording the abovesaid submission of the learned Government Advocate (Crl.Side), this Court directs the second respondent to complete the enquiry proceedings immediately after the receipt of the report from the Social Welfare Department preferably within a period of one week, in accordance with law.



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6. With the above direction, this Criminal Original Petition stands disposed of.

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02.04.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

apd

To

1.The Superintendent of Police,
Alagarkovil Road,
Surveyor Colony,
Madurai District.

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

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



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P. DHANABAL, J.,

apd

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