



Crl.O.P.(MD)No.22785 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.22785 of 2024

Hariraja

.. Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
All Women Police Station,
South Gate/Madurai Town,
Madurai District.

3.Priya

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent police not to harass the petitioner and his family under the guise of enquiry and consequently take action against the third respondent who harassed the petitioner and his family.

For Petitioner
For R1 & R2

: Mr.M.Pandian
: Mr.K.Sanjai Gandhi
Government Advocate(Crl.Side)



Crl.O.P.(MD)No.22785 of 2024

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ORDER

The petitioner had filed this petition stating that he had been unnecessarily called by the second respondent on the complaint given by the third respondent as if the petitioner on the promise of to marry the third respondent had physical relationship with her and now, he had refused to marry. The contention of the petitioner is that the third respondent has already married having seven years old child and the third respondent's mother was working along with the petitioner in Sathya agency, Ponmeni and thereafter, the petitioner had developed friendship with the third respondent through instagram and the third respondent employed in HDFC Bank. Now, she had become pregnancy and claims that the petitioner is the reason for the pregnancy. According to the petitioner, the petitioner's earlier marriage is subsisting. He further submitted that pregnancy is yet to be two months, for the past two months, the petitioner has got no contact with the third respondent and the petitioner is now made as scapegoat.



Crl.O.P.(MD)No.22785 of 2024

WEB COPY

2. The learned Government Advocate (Crl.side) on the other hand strongly opposed the petitioner's contention stating that the petitioner had physical relationship with the third respondent. The petitioner after coming to know that the third respondent has become pregnancy trying to distance himself from the third respondent citing earlier marriage. His earlier marriage was divorced by customary practice and there is record. The third respondent's earlier husband had now re-married and living happily. The third respondent is working HDFC Bank. The petitioner's contention that he has been falsely implicating, that would confirm only by medical report. For the purpose of investigation, the petitioner is required. In the event of petitioner cooperating for enquiry, appropriate decision would be taken soon.

3. The petitioner undertakes to appear before the respondent police on 21.01.2025 without fail.

4. In view of the above, the petitioner to appear before the respondent police on 21.01.2025 and the respondent police to conduct investigation and thereafter, to take its logical end.



Crl.O.P.(MD)No.22785 of 2024

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5. With the above direction, this Criminal Original Petition is disposed of.

03.01.2025

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

Rmk

Note : Issue order copy on 07.01.2025

To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Inspector of Police,
All Women Police Station,
South Gate/Madurai Town,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.22785 of 2024

M.NIRMAL KUMAR,J.

Rmk

Crl.O.P.(MD)No.22785 of 2024

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