

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29714 of 2015

K.Moorthy

... Petitioner

Vs

1. The Superintendent of Police,
The District Police Office,
Salem District, Salem.
2. The Inspector of Police,
Mecheri Police Station,
Mettur Taluk, Salem District. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent police not to harass the petitioner and his family members.

For Petitioner : Mr.M.Senthilkumar

For respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the second respondent police not to harass the petitioner and his family members.

2. The petitioner apprehends arrest for the offence under section 506(ii) IPC pending investigation on the file of the second respondent police. The petitioner is residing in Door No.3/13, Nadu Street, Pottaneri, Mettur Taluk, Salem District for the past 30 years. He is working as a coolie and having two children. In the year 2012, the petitioner along with one Barathiraja were detained under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Forest offenders, Goondas, Immoral Traffic offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 dated 18.04.2012 in connection with the ground case in Crime No.196 of 2012 on the file of the second respondent police. Thereafter, the above

detention order was quashed by this Court and the ground case has also been ended in acquittal. The second respondent police is again making arrangements to arrest the petitioner on the basis of the false case registered against the petitioner. The second respondent police is frequently calling the petitioner under the guise of enquiry and threatening the petitioner and his family members. Hence the petitioners have come forward with the present Criminal Original Petition.

3. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that as on date, an enquiry under section 110 Cr.P.C. is pending against the petitioner before the Revenue Divisional Officer and only in order to serve the summons in the said enquiry, the second respondent police is searching the petitioner. Absolutely, there is no intention on the part of the second respondent to harass the petitioner.

4. In view of the submissions of the learned Additional Public Prosecutor, this court cannot entertain this petition and the petition is dismissed. The petitioner is directed to co-operate with the enquiry before the Revenue Divisional Officer.

vrc

-s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
The District Police Office,
Salem District, Salem.

2. The Inspector of Police,
Mecheri Police Station,
Mettur Taluk, Salem District.

3. The Public Prosecutor,
High Court, Madras.

1 cc to M/s. M.Senthilkumar, Advocate, sr.406 (27.05.2016)

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