



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2015

CORAM

THE HONOURABLE MRS.JUSTICE S.VIMALA

Crl.O.P. (MD) No.18936 of 2015

A.Narayanasamy

.. Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District.

2.The Deputy Superintendent of Police,
District Crime Branch and
Anti-Land Grabbing Cell,
Virudhunagar District.

3.The Sub-Inspector of Police,
District Crime Branch and
Anti-Land Grabbing Cell,
Virudhunagar District.

.. Respondents

Petition filed under Section 482 of Code of Criminal Procedure to issue a direction directing the third respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint lodged by Ponraj and Santha.

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.P.Kandasamy
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking a direction to the third respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint lodged by Ponraj and Santha.

2.According to the learned Government Advocate (Crl.Side), petition enquiry is pending.

3.As per the judgment of the Hon'ble Supreme Court in Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)], the respondent concerned may conduct a preliminary enquiry which shall not extend beyond a period of seven days from the date of receipt of a copy of this order. In conducting the preliminary enquiry, they shall put the concerned parties upon notice and follow the dictum laid down in D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610. At the end of the enquiry, if any cognizable offence is made out, the concerned respondent shall register a case. In the event of effecting closure of the case upon conducting a petition enquiry, intimation regarding closure shall be sent to the complainant. It is left open to the petitioner to approach the concerned Judicial Magistrate in accordance with law, if he is aggrieved.



4. The Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(writs)

/True copy/

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Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Virudhunagar District.
- 2.The Deputy Superintendent of Police,
District Crime Branch and
Anti-Land Grabbing Cell,
Virudhunagar District.
- 3.The Sub-Inspector of Police,
District Crime Branch and
Anti-Land Grabbing Cell,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

JAM:AAL:26.10.2015:2P/5c

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01.10.2015