



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2015

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD) No.21986 of 2015

Ramalingam

... Petitioner

Vs.

1. The Superintendent of Police,
Tuticorin District,
Tuticorin.

2. The Sub Inspector of Police,
Anti-Land Grabbing Special Cell,
Tuticorin.

3. Malliga

.. Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the second respondent that not to harass the petitioner and his family member in the guise of enquiry based on the complaint given by one A.Maliga, W/o.Syed Mohammed, who is third respondent herein.

For Petitioner : Mr.S.R.Durairaj
For Respondents : Mr.A.P.Balasubramani
b Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed under Section 482 Cr.P.C., directing the second respondent that not to harass the petitioner and his family member in the guise of enquiry based on the complaint given by one A.Maliga, W/o.Syed Mohammed, who is third respondent herein.

2.I have heard the counsel appearing on either side and perused the materials available on record.

3.The Government Advocate (Crl.side), on instruction, would submit that a petition enquiry was conducted and the same was closed as civil in nature. He would further submit that there is no such harassment against the petitioner and if any complaint is
<https://hse.ces.eprints.gov.in/hse/ces/> the petitioner and any interrogation is needed by the respondent against the petitioner, the norms which are mentioned in the Judgement of Hon'ble Apex Court in *D.K.Basu Vs.*



State of West Bengal reported in AIR (1997) SC 610, would be followed. He would further submit that there will not be any harassment against the petitioner and the enquiry or interrogation would be done in accordance with law.

4. Recording the statement of the Government Advocate (Crl.side) that the respondent police will not harass the petitioners in future under the guise of any enquiry, the criminal original Petition is closed. The petitioner cannot use this order to evade the enquiry that is going to be conducted and if any interrogation is needed from the police with regard to any enquiry, it is the duty cast upon the petitioner to participate and co-operate for the enquiry.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

srm

To:

1. The Superintendent of Police,
Tuticorin District,
Tuticorin.
2. The Sub Inspector of Police,
Anti-Land Grabbing Special Cell,
Tuticorin.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.M.S.Jeyakarthik Advocate Sr.No.66653

GJM/GSV/AN/16.12.2015-2P-5C

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