

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.30578 of 2015

Elangovan

... Petitioner

Vs

1. The District Superintendent of Police,
Cuddalore District,
Cuddalore.
 2. The Inspector of Police,
Thittakudi Police Station,
Cuddalore District.
- ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents not to harass the petitioner with interfering civil dispute and calling for an enquiry at Mid night daily from the petitioner's house without adhering 41(A) Cr.P.C laid down by Apex Court in Arneshkumar case, by the second respondent to secure the ends of justice.

For Petitioner : Mr.M.Velmurugan

For respondents : Mr.C.Emalias,
Addl.Public Prosecutor.

ORDER

The present criminal original petition has been filed seeking a direction to respondents not to harass the petitioner by interfering with the civil dispute and by calling for an enquiry at Mid night daily from the petitioner's house without adhering 41(A) Cr.P.C laid down by Apex Court in Arneshkumar case, by the second respondent to secure the ends of justice.

2. It is the case of the petitioner that based on the complaint given by one Selvambal and her son and daughters, under the guise of enquiry, the second respondent police is frequently calling the petitioner and harassing him. Hence, the petition.

3. Today, when the matter was taken up for consideration, learned Additional Public Prosecutor submitted that the said Selvambal is none other than the third wife of the petitioner's father and only for the purpose of enquiry, the petitioner was called by the second respondent police and absolutely, there is no harassment and in order to avoid enquiry, the petitioner has filed the present petition.

4. Irrespective of the submissions made by the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor, this Court is constrained to pass the following order:-

(i) The petitioner is directed to cooperate with the enquiry.

(ii) The second respondent police is directed to conduct the enquiry in accordance with law, without harassing the petitioner.

5. The criminal original petition is ordered accordingly.

sbi

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

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

2. The Inspector of Police,
Thittakudi Police Station,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.M.Velumurugan, Advocate SR 718

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