



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2016

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) .No.16840 of 2016

G.Mathi Kumar

.. Petitioner

Vs.

State rep. by
1.The Superintendent of Police,
Tuticorin District,
Tuticorin.

2.The Sub Inspector of Police,
Aathur Police station,
Tuticorin District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the 2nd respondent police not to harass the petitioner under the guise of the enquiry on the complaint of the said E.V.S.Paul, S/o.A.C.Paul.

For Petitioner : Mr.A.D.Ganeshamoorthi

For respondents : Mrs.S.Prabha

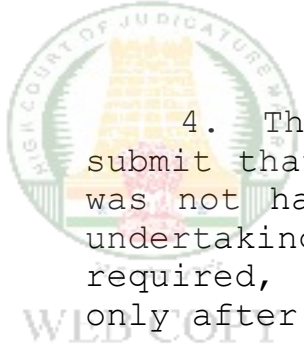
Government Advocate(Criminal side)

ORDER

It is an application seeking a direction to the respondent police not to harass the petitioner under the guise of enquiry.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

3. The learned counsel for the petitioner would submit that the petitioner was granted anticipatory bail by this Court in Crl.O.P.(MD).No.19430 of 2015 on 08.10.2015 in Crime No.103 of 2015 and thereafter, when the petitioner filed a quash petition in Crl.O.P.(MD).No.21502 of 2015, it was closed, based on the representation of the respondent that the petitioner is not an accused in this case. Subsequently, on 03.09.2016, the respondent police came to the house of the petitioner in the early hours and also assaulted him and his family members brutally and the learned counsel for the petitioner further submitted that the petitioner is ready to co-operate for enquiry in the said criminal case.



4. The learned Government Advocate (Criminal Side) would submit that the 2nd respondent has enquired the petitioner and he was not harassed by the respondent police. However, he gave an undertaking that if at all the presence of the petitioners is required, the respondent would call the petitioner for enquiry only after issuing summons giving specific date, time and place.

5. Recording the above undertaking given by the learned Government Advocate (Crl. Side), this petition is closed. However, the second respondent shall not harass the petitioner under the guise of enquiry.

Sd/-
Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Tuticorin District,
Tuticorin.
- 2.The Sub Inspector of Police,
Aathur Police station,
Tuticorin District.
- 3.The Addl. Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to the M/S.A.D.GANESHAMOORTHY, ADVOCATE SR.No. 52548

pjl
JA-SKS-5.10.2016/2P:5C

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