



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.11120 of 2017

Rengarajan

... Petitioner

-Vs-

1. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai District.
2. The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Vilakkuthoon, Madurai District.
3. The Inspector of Police,
Thilagarthidal Police Station,
Madurai District.
4. The Sub Inspector of Police,
Vilakkuthoon Police Station,
Madurai District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 to direct the fourth respondent not to harass the petitioner under the guise of enquiry without following any due process of law.

For Petitioner	: Mr.R.Senthil Kumar
For Respondents	: Mr.K.Anbarasan, Government Advocate(Crl. Side).

O R D E R

This Criminal Original petition is filed seeking a direction to the respondents 1 and 2 to direct the fourth respondent not to harass the petitioner under the guise of enquiry without following any due process of law.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The petitioner in relation to the same dispute with third



party, has approached this Court earlier and this Court in CrI.O.P.(MD)No.5487 of 2017, dated 05.06.2017, passed the following order:-

"2. Under such circumstances, the petitioner is directed to appear before the 3rd respondent police and participate in the enquiry and during enquiry, he shall not be harassed. During the course of enquiry, if any cognizable offence is mad out, the respondent police is free to register an FIR and this order shall not be a shield for the petitioner against arrest."

4. The petitioner states that the petitioner is being put to unnecessary harassment and compelled to make payment of money. It is further stated that the petitioner is called upon to attend the enquiry without any summons and that therefore, a direction is required to stop the harassment.

5. The learned Government Advocate(Criminal Side) on instructions submitted that the petitioner has given a complaint originally and the same was enquired and closed and that the enquiry is pending on the basis of the complaint lodged against the petitioner. The learned Government Advocate(Criminal Side) undertakes that they will hold enquiry and call upon the petitioner for an enquiry only after issuing summons prescribing date and time.

6. The said undertaking of the learned Government Advocate (Criminal Side) for the fourth respondent is recorded.

7. The fourth respondent shall call upon the petitioner to attend the enquiry, only after issuing summons prescribing date and time and in the manner known to law.

8. With the above observations, the Criminal Original petition is closed.

Sd/-

Assistant Registrar (CS-I)

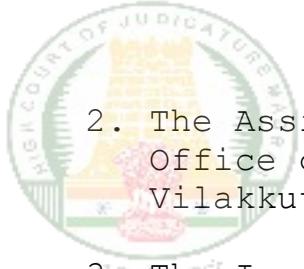
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Sub Assistant Registrar

To

1. The Commissioner of Police,

<https://hcservices.courtsev.in/cse/v1> The Commissioner of Police,
Madurai District.



2. The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Vilakkuthoon, Madurai District.

3. The Inspector of Police,
Thilagarthidal Police Station,
Madurai District.

4. The Sub Inspector of Police,
Vilakkuthoon Police Station,
Madurai District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.R.Senthil Kumar, ADVOCATE IN SR No.74458

Pmu

MK/MR KKR/SAR-2/07.09.2017/3P/7C

CRL.O.P.(MD)No.11120 of 2017
24.08.2017