



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P. (MD) No.11997 of 2017

S.A.Jeyakumar

: Petitioner

-vs-

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

2.The Inspector of Police,
District Crime Branch,
Thoothukudi District,
Thoothukudi.

3.The Inspector of Police,
Sattankulam Police Station,
Sattankulam,
Thoothukudi District.

4.Shanmugasundaram

5.Hariram

6.Augustine

: Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to issue a direction, directing the second respondent not to harass the petitioner and his family members based on the false complaint lodged by the respondents 4 to 6 before the second respondent Police Station, which was already enquired and closed by the third respondent.

For Petitioner : Mr.P.T.Ramesh Raja

For Respondents : Mr.K.Anbarasan

Government Advocate(Crl.side)

O R D E R

It appears that the petitioner had earlier filed Crl.O.P.(MD). No.8859 of 2017, for similar relief and this Court by order dated 20.07.2017 has directed the second respondent therein not to harass the petitioner and his family members.

2.It appears that the learned Government Advocate on instructions submitted that the third respondent herein who was the second respondent in Crl.O.P.(MD).No.8859 of 2017, had conducted enquiry and closed the matter as no offence was committed. Despite the third respondent closed the complaint, on the same set of facts



it appears that the private respondents have given another complaint before the second respondent. The second respondent has issued summons. Therefore, the petitioner has come forward with this petition, once again seeking a direction as against second respondent not to harass the petitioner. Except issuing summons, there was no further enquiry and therefore no harassment on the petitioner can be inferred.

4. Having regard to the facts and circumstances of the case, the second respondent also may proceed further in accordance with law, after taking note of the fact that same complaint was enquired earlier by the third respondent and that the same was closed. Even, if the presence of the petitioner is required for any enquiry, the same also can only be done after issuing summons and following the procedures as contemplated in law.

5. With the above directions, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
District Crime Branch,
Thoothukudi District,
Thoothukudi.

3. The Inspector of Police,
Sattankulam Police Station,
Sattankulam,
Thoothukudi District.

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

+1cc to Mr. P. T. RAMESH RAJA Advocate in SR. No. 78213

TSG/DSK

JS/MR.KKR/SAR.1/22.09.2017/2P-6C

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