



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD)No.12137 of 2017

S.Prabakaran

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai - 7.
2. The Inspector of Police(L&O),
Thallakulam Police Station,
Madurai - 2.
3. Sivakumar
4. V.Surya Prabha

... Respondents

PRAYER: This Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioner and his family members under the guise of enquiry.

For Petitioner	: Mr.P.Gunasekaran
For R-1 & R-2	: Mr.K.Anbarasan, Government Advocate(Crl.Side).

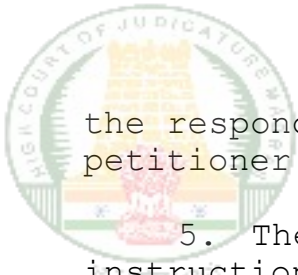
O R D E R

This Criminal Original Petition is filed for a direction to the second respondent not to harass the petitioner and his family members under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondents 1 and 2.

3. It is stated by the petitioner that he is doing real estate business in the name and style of Jai Sree Anjaneya Real Estates and that he also owns properties.

4. The learned counsel for the petitioner submits that there is a dispute between the petitioner and respondents 3 and 4. Under the guise of enquiring into the complaint alleged to have been given by



the respondents 3 and 4, it is stated by the learned counsel for the petitioner that the petitioners are put to harassment.

5. The learned Government Advocate(Criminal Side) however on instructions submitted that no complaint has been given either by the third respondent or by the fourth respondent as against the petitioner. He further submitted that no enquiry was also contemplated. It is further submitted that the petitioner was not harassed by the second respondent.

6. Recording the said submission of the learned Government Advocate(Criminal Side), the Criminal Original petition is closed. Even if the presence of the petitioner is required for any enquiry, the same shall be done only after issuing summons prescribing date and time and following the procedure as contemplated under Section 41(A) of Cr.P.C.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City, Madurai - 7.
2. The Inspector of Police(L&O),
Thallakulam Police Station, Madurai - 2.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.P.GUNASEKARAN, ADVOCATE IN SR No. 79261

PMU

TE/JC/SAR-II : 25/09/2017 : 2P/5C

CRL.OP. (MD) No.12137 of 2017
14.09.2017