



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.15887 of 2017

WEB COPY

Sasikumar

... Petitioner

-Vs-

1. The Superintendent of Police,
Thanjavur District,
Thanjavur.
2. The Inspector of Police,
Swamimalai Police Station,
Swamimalai, Thanjavur District.

... Respondents

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

For Petitioner : M/s.C.R.Ponnuthai
For Respondents : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

O R D E R

This Criminal Original petition is filed for issuing a direction to the second respondent not to harass the petitioner under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents.

3. The petitioner himself admits that the second respondent has registered a complaint in Crime No.136 of 2017 against the petitioner and that the same is pending in C.C.No.24 of 2017 on the file of the learned Additional District and Sessions Judge and Special Judge for Essential Commodities Act Cases, Thanjavur. After filing of Charge Sheet, it is stated that the petitioner was given Anticipatory Bail, by an order of this Court dated 04.06.2017. However, it is further stated that the second respondent is harassing the petitioner and his family members in his house.

4. Learned Additional Public Prosecutor on instructions submitted that there was no harassment. It is further submitted
<https://hservices.ecourts.gov.in/hservices/>
that when the petitioner refused to receive summons issued by the Court, the second respondent made an attempt to serve the summons.



5. Having regard to the nature of the case and the fact that trial has been commenced in the criminal case which is pending against the petitioner, there is no scope for the second respondent to harass the petitioner. Except the criminal proceedings which is pending before the Court, there is no other complaint as against the petitioner and no enquiry is contemplated as stated by the learned Additional Public Prosecutor. In such circumstances, absolutely there is no merits in this petition and the petitioner has filed this petition purely with an ulterior motive.

6. Having regard to the facts and circumstances of the case, the Criminal Original petition is dismissed with a cost of Rs.1,000/-. The petitioner is directed to pay a sum of Rs.1,000/- (Rupees One Thousand only) towards costs to the credit of Hon'ble Chief Justice Relief Fund, Madurai Bench of Madras High Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order.

7. Post the matter on 06.12.2017, for reporting compliance.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thanjavur District,
Thanjavur.
2. The Inspector of Police,
Swamimalai Police Station,
Swamimalai, Thanjavur District.
3. The Section Officer,
Madurai Bench of Madras High Court,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.C.R.Ponnuthai, Advocate Sr.No.88393

PMU

VB/SKN/RSK/SAR2/28/11/2017/2P/6C