



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE **P.N.PRAKASH**

Crl.O.P.(MD)No.2905 of 2017

WEB COPY

C.Visvanathan

: Petitioner

Vs.

1.Forest Ranger,  
Gulf of State through  
The Manner Marine,  
National Park,  
Ramanathapuram District.

2.State through  
The Wild Life Warden,  
(District Ranger),  
Gulf of Mannar Marine,  
National Park,  
Ramanathapuram District.

: Respondents

**Prayer** : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the respondents (Respondents 1 and 2) not to harass the petitioner namely C.Visvanathan S/o. Chellasamy and his family members to direct the respondents to follow guidelines issued by the Hon'ble Supreme Court and Hon'ble High Court in D.K.Basu case reported in 1997 (1) SCC 416 and Subhiksha Trading Service Ltd., rep. Mr.M.Rathina Kumar case reported in 2010(4) CTC 324 and Periyamondi case reported in 2012 (1) CTC 92, case in matters pertaining to arrest or interrogation.

For Petitioner : Mr.K.Ramanathan

For Respondents : Mr.K.Anbarasan

Government Advocate (Crl.side)

### **ORDER**

This petition has been filed seeking a direction to the respondents not to harass the petitioner and his family members.

2.Heard Mr.K.Ramanathan, learned counsel appearing for the petitioner and Mr.K.Anbarasan, learned Government Advocate (Criminal side) appearing for the respondents.

4.On the complaint lodged by the second respondent  
<https://hcservices.ecourts.gov.in/hcservices/presscoultdon> is pending in C.C.No.136 of 2014 before the Judicial Magistrate, Thiruvadanai against one Kasi Visvanathan for the



alleged wild life offence. The learned Magistrate issued summons followed it with warrant. The warrant has to be executed by the police or the second respondent as the case may be for production of the said Kasi Visvanathan before the trial Court.

5. It is represented that earlier this petitioner was involved in wild life case and his involvement in the present case is also suspected. Therefore, the Village Administrative Officer had called the petitioner for enquiry and immediately the petitioner has filed the present petition for not to harass the petitioner.

6. In the considered opinion of the Court, the petitioner is duty bound to show that he is not Kasi Visvanathan but only ordinary Visvanathan. Under such circumstances, of course during the enquiry the petitioner shall not be harassed.

6. With the above observations, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (C.S-III)

/True copy/

Sub Assistant Registrar

To

1. Forest Ranger,  
Gulf of State through  
The Mannar Marine,  
National Park,  
Ramanathapuram District.

2. The Wild Life Warden,  
(District Ranger),  
Gulf of Mannar Marine,  
National Park,  
Ramanathapuram District.

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

+1cc to M/S.K.RAMANATHAN, Advocate SR.No.15327

Order made in  
Cr1.O.P.(MD) No.2905 of 2017  
16.03.2017