



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2017

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.3897 of 2017

WEB COPY

M.Ashokkumar

... Petitioner

-vs-

1.The Superintendent of Police
Dindigul District, Dindigul.

2.The Inspector of Police,
Town North Police Station,
Dindigul.

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent not to harass the petitioner under the guise of enquiry.

For Petitioner

: Mr.A.Chandrakumar

For Respondents

: Mr.A.P.Balasubramani

Government Advocate (Crl. side)

O R D E R

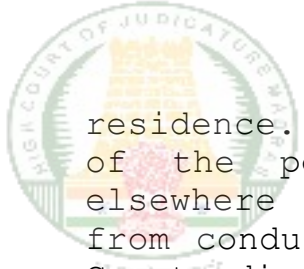
It is seen that this petitioner is a physically challenged person and in his house at Door No.16 Lakshmi Sundaram Colony, Near SMBM School, Round Road, Dindigul Town, he started a yoga and meditation centre in the terrace portion. This has been objected to by some locals and gave a complaint to the respondent police on 15.03.2017. Pursuant to which, the respondent police are harassing the petitioner asking him not to run the yoga centre.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3. Mr.R.Arumugam, Sub Inspector of Police, Town North Police Station is present before this Court and produced the file.

4. On a perusal of the files, it is seen that one Kuppusamy, Palanisamy, Ilangovan, Boomibalan and others claiming themselves to be vigilante have given a representation dated 15.03.2017 to the police stating that if the petitioner is permitted to run a gym, it will cause inconvenience to them.

5. On the strength of this representation, the police have called the petitioner and have obtained an undertaking on 01.04.2017 that he will not run the gym and yoga centre there. In
<https://hdservices.courts.gov.in/hdservices/> the opinion of this Court, it is beyond the role of the police to prevent a person from doing lawful activities in his



residence. If those signatories are aggrieved with the activities of the petitioner, they can change their residence and go elsewhere and they cannot use the police to stop the petitioner from conducting the yoga and meditation classes. Therefore, this Court directs the respondent police to ensure that adequate protection is given to the petitioner for conducting yoga, meditation and gym in the residence of the petitioner and if there is any interference from the locals, action will be taken against them. It is also seen that there is a TASMAL shop near the street, which is not being objected to by these alleged good samaritans, but, whereas they seem to be objecting to the petitioner, who is a physically challenged person for conducting yoga, meditation and gym. The Superintendent of Police, Dindigul District, shall also ensure that adequate protection is given to the petitioner.

7. With the above direction, this criminal original petition is disposed of.

Sd/-
Assistant Registrar(A.S)

/True Copy/

Sub Assistant Registrar

To:

1.The Superintendent of Police
Dindigul District, Dindigul.

2.The Inspector of Police,
Town North Police Station,
Dindigul.

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

+1cc to M/S.A.Chandrakumar, Advocate SR.No.50431

Cr1.O.P. (MD) No.3897 of 2017
05.04.2017

JM/SKN RSK/SAR 3/06.04.2017/2P/5C