



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

WEB COPY

Criminal Original Petition (MD) No.4417 of 2017

J.K.Puthiyevan

... Petitioner

Vs.

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Valliyoor Range,
Valliyoor,
Tirunelveli District.
- 3.The State rep. By
The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.

... Respondents

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the respondents more particularly the third respondent to discontinue the harassment as made on him and also not to harass further without following the due settled procedure forthwith.

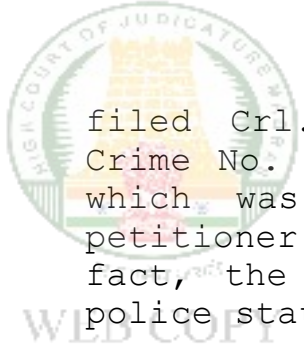
For Petitioner	: Mr.S.Palani Velayutham
For Respondents	: Mr.A.P.Balasubramani, Government Advocate(Crl. Side)

ORDER

The petitioner approaches this Court with a prayer to direct the third respondent not to harass the petitioner under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the State and also perused the materials available on record.

3. The grievance expressed by the petitioner is that though the third respondent has registered a case in Crime No.120 of 2007 for the commission of offences under Section 302 of I.P.C against one Bhaskar, who happened to be the Driver of the petitioner and others, the petitioner is not implicated in any manner and even prior to registration of the case, the petitioner



filed CrI.O.P(MD)No,1589 of 2017 seeking anticipatory bail in Crime No. Not Known of 2017 on the file third respondent police, which was dismissed by this Court on the ground that the petitioner has not been shown as an accused and despite the said fact, the petitioner is being summoned to the third respondent police station often under the guise of enquiry.

4. The learned counsel appearing for the petitioner would submit that the petitioner is summoning by the third respondent police orally and therefore, as and when they wants to enquire the petitioner, they should issue summons to the petitioner and hence, prays for appropriate orders.

5. Per contra, the learned Government Advocate(CrI. Side) appearing for the State on instructions would submit that as on today, no complaint/petition is pending against the petitioner and therefore, summoning him for the purpose of enquiry, does not arise.

6. The said submission of the learned Government Advocate (CrI. Side) on instructions is placed on record.

7. In the result, this Criminal Original Petition is closed and if at all the third respondent wants to summon the petitioner for the purpose of conducting enquiry, they may do so in accordance with law.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Deputy Superintendent of Police,
Valliyoor Range,
Valliyoor, Tirunelveli District.
- 3.The Inspector of Police,
Radhapuram Police Station,
Radhapuram, Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to MR.S.PALANI VELAYUTHAM, Advocate, SR No. 52424/17

PM

PSM/MMS/04.05.2017/2P/6C

CrI.O.P(MD) .No.4417 of 2017

13.04.2017