



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.07.2017
CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

WEB COPY

Crl.O.P.(MD) No.8859 of 2017

S.A.Jeyakumar

... Petitioner

-Vs-

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Inspector of Police,
Sattankulam Police Station,
Sattankulam,
Thoothukudi District.

3. Sanmugasundaram,

4. Hariram,

5. Pon Thirumalaisudi

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent not to harass the petitioner and his family members with a false complaint lodged by the third to fifth respondents before the 2nd respondent police and to direct the second respondent police to follow guideline issued by the Honourable Supreme Court in D.K.Basu 1997 1 SCC 416 case in matters pertaining to arrest or interrogation.

For Petitioner : Mr.V.Rajiv Rufus
For R-1 & R-2 : Mr.K.Anbarasan,
Government Advocate(Crl.side).

O R D E R

This Criminal Original petition has been filed seeking a direction to the second respondent police not to harass the petitioner and his family members with a false complaint lodged by the third to fifth respondents.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondents.

3. The learned Government Advocate, on instructions, submitted that the petitioner was enquired based on the complaint given by the third to fifth respondents herein and it is found that it is not a fit case and the same was closed and he further submitted that there was no harassment.

4. However, the learned counsel appearing for the petitioner denied the aforesaid submissions.

5. Having regard to the nature of allegation, this Court is of the firm view that the second respondent police need not harass the petitioner and his family members. Even if any enquiry is required, the petitioner can be called upon to put on enquiry only after issuing notice to the petitioner in the manner known to law.

6. With the above observations, the Criminal Original petition is closed.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Inspector of Police,
Sattankulam Police Station,
Sattankulam,
Thoothukudi District.

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

+1 CC to M/s.V.RAJIV RUFUS, Advocate, SR No. 66732.

CMR

PSM/KK/SAR2/28.07.2017/2P/5C

Cr1.O.P.(MD) No.8859 of 2017
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