



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.(MD)No.4322 of 2017

Mayil Murugan

... Petitioner

vs.

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

2.The Inspector of Police(Crime),
Thenkarai Police Station,
Periyakulam,Theni District.

3.Kasamuthu

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the 2nd respondent not to harass the petitioner under the guise of enquiry by issuing summons to the petitioner for the same cause of action under Section 91 of Cr.P.C repeated by and ill treated and coerced under the guise of enquiry for illegal detention.

For Petitioner : Mrs.A.Sowmiya
For R1 & R2 : Mr.T.S.Mohammad Mohideen
Additional Govt. pleader

O R D E R

The writ petition has been filed for a writ of Mandamus forbearing the 2nd respondent not to harass the petitioner under the guise of enquiry by issuing summons to the petitioner for the same cause of action under Section 91 of Cr.P.C., repeated by and ill treated and coerced under the guise of enquiry for illegal detention.

2. When the matter is taken up for hearing, the learned Additional Government Pleader submits that on the complaint given by one Kasamuthu (third respondent), a regular case in Crime No.159 of 2017 under Sections 294(b), 506(i) and 420 of I.P.C., has been registered on 08.03.2017 against this petitioner and another.



3. In view of the fact that the regular F.I.R. has been registered against the petitioner, the relief as claimed by the petitioner cannot be granted. Accordingly, this Criminal Original Petition is dismissed, in the light of the law laid down by this Court in *Dorand v. The Superintendent of Police, Nagercoil* [2016 (2) CTC 286].

Sd/-

Assistant Registrar(AD II)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Theni District,
Theni.
- 2.The Inspector of Police (Crime),
Thenkarai Police Station,
Periyakulam,
Theni District.

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 15126

W.P. (MD) No.4322 of 2017
15.03.2017

AKV

KK-SVMMS-15.03.2017-2P-4C