



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2017

CORAM

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) No.24908 of 2016

R.M.Navaneethakrishnan

... Petitioner

-VS-

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
Keeraidurai Police Station,
Madurai.
- 3.The Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Near Meenakshiamman Kovil,
Madurai City, Madurai.
- 4.Mala,
- 5.Subburaj
- 6.Murugesan
- 7.Poorajan
- 8.Ganesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus directing the 1st Respondent to take action against the respondents 4 to 8 on the basis of the petitioner's representation dated 20.12.2016 and consequently direct the respondents not to harass the petitioner, his family members and relatives under the guise of enquiry.

For Petitioner : Mr.R.Ponkarthikeyan

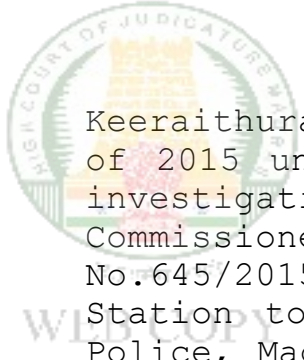
For Respondents : Mr.T.S.Mohammed Mohideen
R1 to R3 Additional Government Pleader

O R D E R

This writ petition has been filed, seeking a direction to the 1st Respondent to take action against the respondents 4 to 8 on the basis of the petitioner's representation dated 20.12.2016 and consequently direct the respondents not to harass the petitioner, his family members and relatives under the guise of enquiry.

<https://hcservices.ecourts.gov.in/hcservices/>

2.One Suriya Prabha, aged about 59 years was found dead in the house and on the complaint of her husband Rajaram Chettiar before



Keeraithurai Police Station a case was registered in Crime No.645 of 2015 under Sections 302 and 380 IPC on 02.09.2015. Since the investigation was not progressing, on the orders of the Commissioner of Police, Madurai City, investigation in Crime No.645/2015 was transferred from the file of Keeraithurai Police Station to Serious Crime Squad, Madurai and the Commissioner of Police, Madurai City is also closely monitoring the investigation. While so, the petitioner has filed the present petition with the above said prayer.

4.Heard Mr.R.Ponkarthikeyan learned counsel appearing for the petitioner and Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader appearing for respondents 1 to 3.

5.The Assistant Commissioner of Police, Central Crime Branch, Madurai City has filed a counter affidavit, wherein he has stated that the petitioner's daughter namely P.Sahana, was married to the son of the deceased and that she was also present in the house around the time when the death had taken place. Therefore, the Police need her for investigation. In order to protect his daughter, the petitioner has filed the present petition by making baseless allegations against the police officials. It is also seen that Sahana also filed Crl.O.P.(MD) Nos.1255 and 21952 of 2016 for similar reliefs and the same were also closed by this Court with a direction that the police investigation cannot be interdicted needlessly. In Crl.O.P.(MD).No.1255 of 2016 dated 25.01.2016, this Court has directed the said Sahana to cooperate with the Police and appear before them for investigation on issuance of summons.

6.Under the said circumstances, this Court is of the view that a blanket prayer of not to harass cannot be granted to the petitioner in the light of the on going investigation by the Serious Crime Squad in connection with the murder case and the petitioner and his daughter should cooperate with the police for investigation.

7.With the above direction, this Writ Petition is Closed. No costs.

sd/-

Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To:

1.The Commissioner of Police,

<https://hcservices.madurai.gov.in/HCServices/>

Madurai.



2.The Inspector of Police,
Keeraidurai Police Station,
Madurai.

3.The Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Near Meenakshiamman Kovil,
Madurai City, Madurai.

+1cc to Mr.R.Ponkarthikeyan, Advocate SR.No.13138
+1cc to special Government Pleader sR.No.13167

sj
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W.P. (MD) No.24908 of 2016