

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2018

CORAM:

The Hon'ble Mr.Justice P.RAJAMANICKAM

CRL.O.P.No.21880 of 2018

Panneerselvam

.. Petitioner

Vs.

The District Superintendent of Police,
Nagapattinam District,
Nagapattinam.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent to consider the representation of the petitioner dated 22.08.2018 and not harassing the petitioners family members without due process of law.

For Petitioner : Mr.R.Sankara Subbu

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent not to harass the petitioner and his family members under the guise of enquiry.

2.The learned counsel for the petitioner has submitted that the petitioner's elder son is a member of DMK party and due to political enmity, a false complaint has been lodged against the petitioner's elder son. He further submitted that based on the said false complaint, the respondent police even without registering the case, entered into the petitioner's house during night hours and harassed the petitioner and his family members and hence he requests to direct the respondent police not to harass the petitioner and his family members.

3.The learned Additional Public Prosecutor has fairly conceded that no complaint has been received against the petitioner or his family members. Only a representation has been received against the petitioner's elder son and only on that basis, the petitioner's elder son was called for enquiry and neither the petitioner nor his family members were subjected to any harassment.

4. If any complaint is received against the petitioner's son and that the said complaint discloses any cognizable offence, the concerned Station House Officer has to register the case and only thereafter, police can investigate the matter and during investigation, they can arrest the accused persons. But without registering the case, the police should not harass the petitioner and his family members under the guise of inquiry.

5. With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vv/tta

To

1. The District Superintendent of Police,
Nagapattinam District,
Nagapattinam.
2. The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to Mr.R.Sankarasubbu, Advocate, S.R.No.63181

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RJ(CO)

rrs 17/10/2018

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