



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2243 of 2018

Balachandar

... Petitioner

-Vs-

The Inspector of Police,
SIPCOT Police Station,
Manamadurai,
Sivagangai District.

... Respondent

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police not to harass the petitioner under the guise of enquiry without due process of law.

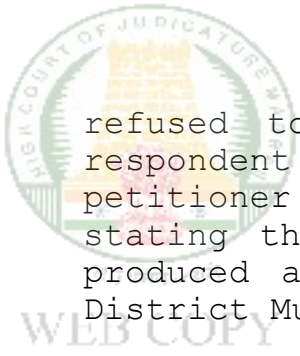
For Petitioners	: Mr.D.Rameshkumar
For Respondent	: Mr.Prabu Ramachandran, Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondent not to harass the petitioner under the guise of the enquiry.

2.The learned counsel for the petitioner has submitted that already the respondent has filed one case against the petitioner herein and in that case, the petitioner was acquitted and subsequently, the respondent is frequently calling the petitioner and compelling him to give false evidence in some other cases and for that, the petitioner has not agreed and hence, the respondent is harassing the petitioner.

3.The learned Government Advocate(Crl.side) has submitted that the contention of the petitioner that already the petitioner was acquitted in another case is not true. He further submitted that a case has been registered against the petitioner herein and three others in Crime No.199 of 2016 under Sections 392, 397, and 506(ii) of I.P.C., and in that case, after investigation, charge sheet has also been filed before the learned Additional District Munsif Cum Judicial Magistrate, Manamadurai and case has been taken on file in P.R.C.No.14 of 2017 and in that case, summons has been issued by the learned Additional District Munsif cum Judicial Magistrate, Manamadurai to the petitioner herein for his appearance and the respondent attempted to serve the said summons, but, the petitioner



refused to receive the said summons and apart from that, the respondent has not done anything. He further submitted that the petitioner has rushed to this Court and filed the present petition stating that the respondent is harassing the petitioner. He also produced a copy of the summons issued by the learned Additional District Munsif cum Judicial Magistrate, Manamadurai.

4.A perusal of copy of the summons issued by the Additional District Munsif Cum Judicial Magistrate, shows that a case in PRC.No.14 of 2017 is pending against the petitioner herein under Section 392, 397, 506 (ii) of I.P.C and summons has been issued to the petitioner on 05.02.2018, directing him to appear on 14.02.2018 before the said Court. It appears that the respondent attempted to serve the said summons to the petitioner herein. Instead of receiving the said summons the petitioner has refused the same and filed the present petition by saying that he has been harassed. The petitioner has not produced any material to show that he has been subjected to any harassment by the respondent. Therefore, I do not find any merit in this petition. Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1.The Additional District Munsif-cum-Judicial Magistrate,
Manamadurai.

2.The Inspector of Police,
SIPCOT Police Station,
Manamadurai,
Sivagangai District.

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

CRL.O.P.(MD)No.2243 of 2018

das

AM/KK/SAR 2/16.03.2018/2P/4C