



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAMCrl.O.P.(MD) No.3037 of 2018

Rakku

... Petitioner

-Vs-

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

2.The Deputy Superintendent of Police,
Kamuthi Division,
Ramanathapuram District.

3.The Inspector of Police,
Abiramam Police Station,
Ramnad District.

4.Kalyani

5.Rakku

6.Maruthupandi
Sub Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents 1 and 2 to instruct the third and sixth respondents not to harass the petitioner without any rhyme or reason based on the representation dated 06.02.2018.

For Petitioner : Mr.G.Karuppasamy Pandiyan

For Respondents : Mr.Prabu Ramachandran (Crl.side)
Government Advocate
for R1 to R3 & R6

ORDER

This petition has been filed to direct the respondents 1 and 2 to instruct the third and sixth respondents not to harass the petitioner without any rhyme or reason based on the representation dated 06.02.2018.



2.The learned counsel for the petitioner has submitted that the petitioner is the owner of the land measuring about one acre situated in S.No.12/3, Achangulam Village. He further submitted that the respondents 4 and 5 are disturbing the petitioner's peaceful possession of the aforesaid land and the third and sixth respondents are also aiding them and hence, he requests this Court to direct the respondents 1 and 2 to instruct the respondents 3 and 6 not to harass the petitioner.

3.The learned Government Advocate (Crl.side) has submitted that already one case was registered against the petitioner in Cr.No.130 of 2017 on the file of the third respondent under Section 294(b) IPC and charge sheet was also filed and the petitioner has paid a fine of Rs.500/- before the concerned Judicial Magistrate and thereafter, no complaint is received against the petitioner and hence, the question of harassing the petitioner does not arise.

4.The learned counsel for the petitioner by way of reply has submitted that the case in Cr.No.130 of 2017 was disposed of in the year 2017. Now the sixth respondent is frequently calling upon the petitioner under the guise of enquiry stating that the respondents 4 and 5 have lodged a complaint against the petitioner. He further submitted that after doing so, now the sixth respondent has taken a stand that he has not at all called the petitioner.

5.Considering the aforesaid submission, the sixth respondent is directed not to harass the petitioner, without any rhyme or reason. If any complaint is received against the petitioner, he should conduct enquiry with the complainant and if the complaint discloses any cognizable offence, then he has to register a case and proceed in accordance with law. Instead of doing so, he should not unnecessarily harass the petitioner.

6.With the aforesaid observation, the criminal original petition is disposed of.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

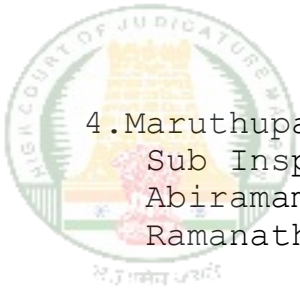
To

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

2.The Deputy Superintendent of Police,
Kamuthi Division,
Ramanathapuram District.

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

3.The Inspector of Police,
Abiramam Police Station, Ramnad District.



4. Maruthupandi

Sub Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

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

+1CC M/S.G.KARUPPASAMY PANDIAN, ADVOCATE, SR NO.54225

Cr1.O.P.(MD) No.3037 of 2018
09.03.2018

rmk

MS/SKN-RSK/SAR-1/26.03.2018/3P.7C