



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2018

CORAM

THE HON'BLE MR. JUSTICE P. RAJAMANICKAMCr1.O.P(MD).No.3130 of 2018

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N.Thilagarajan

... Petitioner

-Vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Economic Offence Wing II,
Palayamkottai,
Tirunelveli District.

3. The Inspector of Police,
Economic Offence Wing II,
Tirunelveli District.

... Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents 1 and 2 strictly instruct the third respondent for not to harass the petitioner.

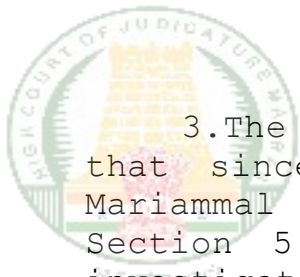
For Petitioner : Mr.R.Alagumani

For Respondents : Mr.Prabu Ramachandran
Government Advocate (Cr1.side)

ORDER

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

2. learned counsel for the petitioner has submitted that the petitioner worked as Technician in BHEL, Trichy, during the period of 1978-2014 and retired from service in the month of July 2014. He further submitted that one Kannan worked as Crane Operator along with the petitioner and a case has been registered against one Sundaravel and Mariammal in Cr.No.1 of 2015 under Sections 406, 420 IPC and Section 5 of TNPID Act. He further submitted that the said Mariammal is the sister of the said Kannan. He further submitted that merely because, the petitioner was working along with the said Kannan, the third respondent is harassing the petitioner under the guise of enquiry.



3.The learned Government Advocate (Crl.side) has submitted that since a case was registered against one Surdaravel and Mariammal in Cr.No.1 of 2015 under Section 406, 420 IPC and Section 5 of TNPID Act, the petitioner was summoned for the investigation purpose, but he has not appeared.

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4.Considering the aforesaid submissions, the third respondent is directed to issue one more summons to the petitioner and even thereafter, if he not appeared, then, it is open to the third respondent to register a case against the petitioner for disobedience of the summons and proceed in accordance with law. Without following the aforesaid procedure, the third respondent should not harass the petitioner unnecessarily.

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

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Economic Offence Wing II,
Palayamkottai,
Tirunelveli District.
3. The Inspector of Police,
Economic Offence Wing II,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Alagumani, Advocate Sr.No.56033

RMK

VB/KKR/SAR1/06.04.2018/2P/6C