



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD)No.3463 of 2018

- 1.E.Anbu Kani
- 2.Dhavamani Paneerdoss
- 3.Peter
- 4.Durai Muthuraja

... Petitioners

-vs-

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioners without due process of law based on the case registered by the second respondent in Crime No.35 of 2018 dated 25.01.2018, who has no connection with the petitioners.

For Petitioners : Mr.Ananth C.Rajesh
For Respondents : Mr.Prabhu Ramachandran,
Government Advocate (Crl.Side)

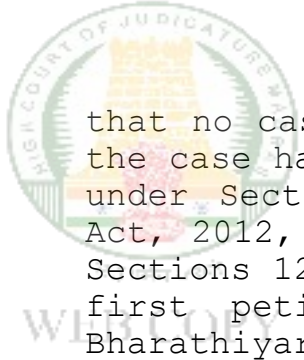
ORDER

This criminal original petition has been filed by the petitioners to direct the second respondent not to harass the petitioners under the guise of enquiry.

2.The learned counsel appearing for the petitioner has submitted that the second respondent has registered a case in Crime No.35 of 2018, against the first petitioner's son, namely, Algees Amalraj. He further submitted that the petitioners herein are in no way connected with the aforesaid case and that being so, the second respondent is frequently calling upon the petitioner and detained in the police station till evening and harassing the petitioners.

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

3.The learned Government Advocate (Crl. Side) has submitted



that no case has been registered against the petitioners herein and the case has been registered against only the first petitioner's son under Section 12 of the Protection of Child from Sexual Offences Act, 2012, altered into Sections 294(b), 354 A (iv), 506(i) IPC and Sections 12,19 r/w 9(f) of POCSO Act. He further submitted that the first petitioner's son, who is working as a teacher in the Bharathiyar Government Higher Secondary School and now, he is absconding. Only for ascertaining whereabouts of the said person, the petitioners were called and not for any other purpose.

4.Considering the aforesaid submissions, if the second respondent wants to conduct any enquiry with regard to the case registered against the first petitioner's son, it is open to the second respondent to go to the petitioner's house and make an enquiry. Instead of doing so, he should not call the petitioners to the police station and detain till evening.

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

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.ANANTH C.RAJESH, ADVOCATE IN SR No. 56301

CP

TE/SKN-RSK/SAR-3 : 23/04/2018 : 2P/5C

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