



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.4236 of 2018

WEB COPY

A.Theivendran

...Petitioner

-Vs-

State represented by

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

2.The Inspector of Police,
District Crime Branch,
SP Office Campus,
Tuticorin.

...Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent not to harass the petitioner based on the complaint dated 26.12.2017.

For Petitioner	: Mr.T.Selvan
For Respondents	: Mr.Prabu Ramachandran, Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the 2nd respondent not to harass the petitioner under the guise of enquiry.

2.The learned counsel appearing for the petitioner has submitted that on 02.03.2018 one constable of 2nd respondent went to the petitioner's house and served the summons to appear for enquiry on 10.03.2018, with regard to the complaint received from one Ganesh, S/o.S.C.Pandian. He further submitted that the petitioner is an attesting witness in one of the power of attorney deed executed by the Medai Thalavai Vagayara in favour of the said S.C.Pandian. He further submitted that the petitioner has not committed any offence, but, the second respondent is unnecessarily harassing the petitioner under the guise of enquiry.

3.The learned Government Advocate (Crl.side) has submitted that one Ganesh, gave a complaint against the petitioner herein and hence, summons was issued to the petitioner directing him to appear before the second respondent on 10.03.2018, but after receipt of the summons, the petitioner did not appear and hence, the enquiry is still pending. He further submitted that apart from that the second respondent has not harassed the petitioner.

4.Considering the aforesaid submissions, the second respondent is directed to enquire the complaint and if the enquiry reveals any



cognizable offence, then he has to register a case and proceed further in accordance with law. Instead of doing so, he should not unnecessarily harass the petitioner.

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

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tuticorin, Tuticorin District.
2. The Inspector of Police,
District Crime Branch,
SP Office Campus, Tuticorin.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.T.Selvan, Advocate SR.No. 57688

CRL.O.P. (MD) No. 4236 of 2018
23.03.2018

das

JM/SV MMS/SAR 1/23.04.2018/2P/5C