



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P. (MD) No.12207 of 2017

WEB COPY

1.S.Durai

2.Kantha

.. Petitioners

Vs.

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

2. The Inspector of Police, (Crime)
Sattur Police Station,
Sattur, Virudhunagar District.

3. V.M.Madasamy

.. Respondents

Prayer : Petition filed under Section 482 of the Criminal Procedure Code to direct the 2nd respondent not to harass the petitioners in the name of enquiry and consequently direct the 2nd respondent to return back all the signed and later filled stamp papers to the custody of the petitioners.

For Petitioners : Mr.C.M.Arumugam

For R1 & R2 : Mr.K.Suyambulingabharathi,
Government Advocate (Crl. side)

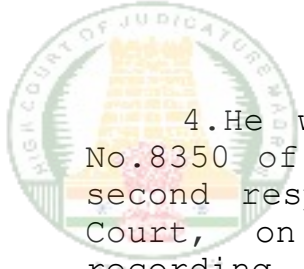
For R3 : Mr.M.Thirunavukkarasu

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent not to harass the petitioners in the name of enquiry and consequently to direct the second respondent to return back all the signed and filled stamp papers to the custody of the petitioners.

2.Heard the learned counsel appearing for the respective parties.

3.The learned Counsel for the petitioners would submit that the first petitioner has lodged a complaint before the second respondent, on 06.06.2017, against the third respondent. After receiving the said complaint, the second respondent, instead of acting upon the same, started harassing the petitioners under the guise of enquiry, in respect of a case preferred by the third respondent.



4.He would further submit that in this regard, CrI.O.P.(MD) No.8350 of 2017, came to be filed before this Court to direct the second respondent therein not to harass the petitioners and this Court, on 19.07.2017, closed the said original petition, by recording the statement of the Government Advocate that the complaint of the de-facto complainant therein / third respondent herein was closed long back and there was no harassment. However, the official respondents continued their act of harassment and therefore, the petitioners have made several representations to the first respondent. However, no action is forthcoming and hence, the petitioners are before this Court for the aforesaid prayer.

5.The learned Government Advocate (Criminal Side) appearing for the official respondents, on instructions, would submit that on the complaint given by the petitioners, enquiry is pending. Reiterating the stand of the petitioner with regard to the earlier criminal original petition, the learned Government Advocate would strongly refute the allegation of harassment at the hands of the respondent.

6.In view of the submission made by the learned Counsel on either side, this Criminal Original Petition is disposed of, with a direction to the official respondents not to harass the petitioners. If they want to enquire the petitioners, the same shall be done only after issuing summons in the manner known to law.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Superintendent of Police,
Virudhunagar District, Virudhunagar.
2. The Inspector of Police, (Crime)
Sattur Police Station,
Sattur, Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.M.Thirunavukkarasu, Advocate, SR.No. 74520

+1CC to Mr.C.M.Arumugam, Advocate, SR.No. 74721

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23.07.2018

GK