



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD) No.6392 of 2018

T.Arulraj

... Petitioner

-Vs-

1. The Superintendent of Police,
Tirunelveli District.
2. The Deputy Superintendent of Police,
Vallioor,
Tirunelveli District.
3. The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
4. R.Rajasundar,
The Inspector of Police,
Tamil Nadu Police Training Centre,
Nagercoil,
Kanniyakumari District.
5. R.Sumathi

... Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure, to direct the second and third respondents thereby not to harass the petitioner in the case of civil disputes as enquiry with the retribution motivation of the fourth and fifth respondents.

For Petitioner : Mr.M.Laxmi Mahendraa

For R-1 to R-3 : Mr.K.K.Ramakrishnan

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the second and third respondents not to harass the petitioner in the case of civil disputes as enquiry with the retribution motivation of the fourth and fifth respondents.

2. Heard Mr.M.Laxmi Mahendraa, learned counsel appearing for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the respondents 1 to 3.

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

3. According to the petitioner, the petitioner has filed



Crl.O.P.(MD)No.668 of 2018 before this Court and by order dated 17.01.2018, this Court has passed the following order, which is as under:

"5.Considering the aforesaid submissions, since the petitioner also gave a complaint, he has to appear before the second respondent for enquiry. On such appearance the second respondent has to conduct enquiry on both complaints and if the enquiry reveals any cognizable offence, then, he has to register a case and proceed in accordance with law or otherwise direct the parties to approach the Civil Court and get appropriate remedy."

4. The petitioner has also filed Crl.O.P.(MD)No.2678 of 2018 before this Court for anticipatory bail. This Court has granted anticipatory bail to the petitioner on 20.02.2018. Now, the petitioner has filed the present Criminal Original Petition with the aforesaid prayer.

5. The learned Additional Public Prosecutor would submit that pursuant to the conditional order passed by this Court, the respondent police has issued summon to the petitioner. Therefore, the petitioner is before this Court with the aforesaid prayer.

6. It is further submitted that the respondent police has also asked the petitioner to appear for enquiry for the aforesaid pending complaint, preferred by the fifth respondent.

7. In the light of the above submissions made by the learned Additional Public Prosecutor, it is very clear that the petitioner was asked to appear for enquiry for the aforesaid complaint preferred in Crime No.45 of 2018 on the file of the respondent police and summon has been served to the petitioner for the complaint dated 11.07.2017. Therefore, the contention of the petitioner is not correct.

8. Recording the aforesaid submissions, the present Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District.

2. The Deputy Superintendent of Police,
Valluoor,
Tirunelveli District.



3. The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.

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

+1CC to Mr.M.Laxmi Mahendraa Advocate in SR.No.62991.

SM

DS/SV/SAR-3: 15.05.2018: 3P/5C

Cr1.O.P.(MD) No.6392 of 2018
23.04.2018