



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE **D.KRISHNAKUMAR**

Crl.O.P.(MD) No.6429 of 2018

A.Krishnamoorthy

... Petitioner

-Vs-

1.The Superintendant of Police,
O/o.The Superintendant of Police,
K.Pudur, Madurai.

2.The Inspector of Police,
Oomachikulam Police Station,
Madurai District.

3.Archunan

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 2nd respondent not to harass the petitioner taking into account of the petitioner's representation dated 17.04.2018.

For Petitioner : Mr.M.Sendhilkumar

For Respondents : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the second respondent not to harass the petitioner taking into account of the petitioner's representation dated 17.04.2018.

2.The learned Additional Public Prosecutor appearing for the respondents would submit that the summons under Section 91 Cr.P.C., have been served to the petitioner to appear for enquiry before the respondent police along with relevant documents. But the petitioner did not appear and also filed the present criminal original petition before this Court for the aforesaid prayer. Therefore, this petition is not maintainable.

<https://hcservices.ecourts.gov.in/hcservices/>
3.The contention of the petitioner is that the said complaint made by the de-facto complainant is purely civil in nature.



Further contended that though the petitioner has settled the amount, a false complaint has been made by the de-facto complainant against the petitioner.

4. In the light of the factual position, this Court directs the petitioner to appear before the respondent police for enquiry along with relevant documents, as directed by the respondent police.

5. In view of the above, this criminal original petition is dismissed. However, the respondent police shall not harass the petitioner under the guise of enquiry.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
K. Pudur, Madurai.
2. The Inspector of Police,
Oomachikulam Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+cc to Mr. M. Sendhilkumar, ADVOCATE, SR.NO. 62915.

Crl.O.P.(MD) No.6429 of 2018
23.04.2018

NS

PS/RSK/SAR 2/11.05.2018/2P/5C