



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE. N.SESHASAYEE

Cr1.O.P.[MD].No.3805 of 2019

T.Murugavel

: Petitioner

/Vs./

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Jaihindu Puram Police Station,
Madurai.

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent not to harass the petitioner continuously on the basis of the petitioner's representation dated 08.03.2019.

For Petitioner : Mr.E.Somasundaram

For Respondents : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

The petitioner complains that the second respondent police is harassing him enquiring about his co-accused in Crime No.762 of 2014 *inter alia* registered under Section 302 IPC, which is now pending before the learned Judicial Magistrate in P.R.C.No.30 of 2015.

2. Heard the learned counsel appearing for the petitioner and learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioner submitted that as per the charge sheet, A-11 is absconding and NBW has been issued. However, the petitioner, who is a HIV patient for 15 years and on bail, is being harassed by the second respondent enquiring about the whereabouts of A-11.

4. The learned Additional Public Prosecutor submitted that the respondent police have neither harassed the petitioner nor intended to harass him.

5. The submission of the learned Additional Public Prosecutor is recorded. If the second respondent is interested in enquiring / interrogating the petitioner preliminary on any aspects, the same shall be done by issuing fresh summons under Section 41 A Cr.P.C., mentioning a specific date and time for enquiry and also giving reasonable time for him to travel to the venue of such enquiry. The petitioner is also directed to co-



operate with the enquiry. During enquiry, there shall not be harassment to the petitioner.

6. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Jaihindu Puram Police Station,
Madurai.

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

SM

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