



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.(MD)No.4396 of 2019

Karthick

... Petitioner

/Vs./

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

2.State represented by
The Inspector of Police,
Theppakulam Police Station, Madurai.

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to issue a direction directing the 2nd respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.S.Poornachandran
For Respondents : Mr.V.Neelkandan
Additional Public Prosecutor

ORDER

This petition is filed to direct the 2nd respondent not to harass the petitioner under the guise of enquiry.

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

3. The learned counsel appearing for the petitioner submitted that the petitioner, law graduate was an accused in S.C.No.387 of 2015 and was acquitted in the year 2017 after due trial.

4. The learned Additional Public Prosecutor submitted that apart from the above mentioned case, the petitioner was also involved in another case in Crime No.604 of 2017 on the file of the B-3, Teppakulam Police Station, Madurai, for *inter alia* under Section 302 IPC. He also added that the proceeding under Section 110 Cr.P.C., has been initiated by the Executive Magistrate and the second respondent merely went to serve summons. The respondent police have neither harass the petitioner nor intended to harass him. The said statement of the learned Additional Public Prosecutor is recorded.

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

5. The learned counsel appearing for the petitioner would now



submit that the notice has been affixed with the door of the petitioner's house.

6. It now appears that the second respondent has arrived at the door steps of the petitioner only to perform his lawful duty for serving notice for an action under Section 110 Cr.P.C., that cannot take an exception too. However, the respondent police are instructed that in dealing with the petitioner, they shall act strictly in accordance with law and should not resort to any extra legal means. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
Theppakulam Police Station, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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KK/SAR/22.05.2019/ 2P- 4C