



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**

CrI.O.P. (MD) No.4852 of 2019

Palvannan

...Petitioner

Vs.

1. The Superintendent of Police,
Madurai, Madurai District.
2. The Deputy Superintendent of Police,
Melur, Madurai District.
3. The Inspector of Police,
Melur Police Station, Melur, Madurai District.
4. The Sub Inspector of Police,
Keelavalavu Police Station,
Keelavalavu, Madurai District.

5.R.Selvaraj

6.Deepan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the respondents 2 to 4 not to harass the petitioner and his family members under the guise of enquiry and not to interfere in the civil dispute.

For Petitioner : Mr.S.Muthukumar

For R-1 to R-4 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This petition is filed to direct the respondents 2 to 4 not to harass the petitioner and his family members under the guise of enquiry and not to interfere in the civil dispute.

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 and the sixth respondent has some financial transaction and according to the petitioner, entire amount has been



paid. Whereas the fifth respondent has caused his son, the sixth respondent herein to prefer a false complaint against the petitioner, based on which, the respondents 3 and 3 are harassing him.

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

5. The Statement of the learned Additional Public Prosecutor is recorded. If the complaint prima facie discloses the commission of any cognizance offence, necessarily the investigating Agency should follow the principles in the judgment reported in **2013 (6) CTC 353 [Lalitha Kumari Vs. Government of Uttar Pradesh]**. If however a preliminary enquiry is sought to be conducted, then the investigating agency hold such enquiry by summoning the parties under Section 41 A Cr.P.C, mentioning 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 (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police, Madurai,
Madurai District.
2. The Deputy Superintendent of Police,
Melur, Madurai District.
3. The Inspector of Police,
Melur Police Station, Melur,
Madurai District.
4. The Sub Inspector of Police,
Keelavalavu Police Station,
Keelavalavu, Madurai District.



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

WEB COPY

Crl.O.P. (MD) No.4852 of 2019
01.04.2019

sm

AE (02.05.2019) 3P 6C