



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**Cr1.O.P. (MD) No.5088 of 2019

Rajan

... Petitioner

/Vs./

1. The Superintendent of Police,
Kanyakumari District, at Nagercoil.

2. The Sub-Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

3. Jayaseeli Peter

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 2nd respondent not to harass the petitioner without due process of law.

For Petitioner : Mr.M.R.Sreenivasan

For R-1 & R-2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

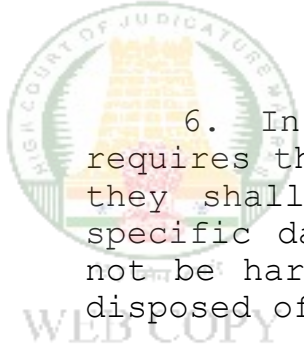
This Criminal Original Petition has been filed to direct the 2nd respondent not to harass the petitioner without due process of law.

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 second respondent police is harassing the petitioner.

4. The learned Additional Public Prosecutor submitted that a complaint was preferred by the third respondent and the same is being enquired as current paper. He further submitted that summon was issued to both parties and petition enquiry was conducted and it was closed on 22.07.2018. He added that the respondent police have not harassed the petitioner and they have no intention to harass him.

5. The statement of the learned Additional Public Prosecutor is recorded.



6. In such circumstances, if at all the respondent police requires the presence of the petitioner for enquiry / interrogation, they shall issue summons under Section 41 A Cr.P.C., mentioning specific date and time for enquiry and during enquiry, there shall not be harassment. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar (CS)

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To

- 1.The Superintendent of Police,
Kanyakumari District, at Nagercoil.
 - 2.The Sub-Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.M.R.SREENIVASAN, Advocate
(SR-59183[F] dated 05/04/2019)

Crl.O.P. (MD) No.5088 of 2019
04.04.2019

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ES/SP/29.04.2019/2P/5C