



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.OP[MD]No.5538 of 2019

WEB COPY

Dharmar

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Palani,
Dindigul District.
3. The Inspector of Police,
Eriodu Police Station,
Dindigul District.

... Respondents

Prayer: Petition is filed under Section 482 of Cr.P.C, to direct the respondents not to harass and compel the petitioner to execute bond without following mandatory procedure under Chapter VIII of the Criminal Procedure Code.

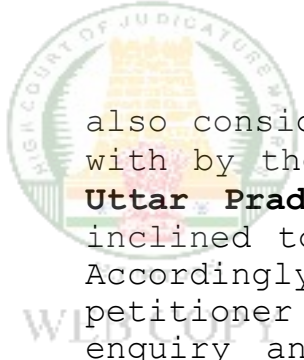
For Petitioner	: Mr.R.Alagumani
For Respondents	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl.side)

ORDER

This petition has been filed to direct the respondents not to harass and compel the petitioner to execute bond without following mandatory procedure under Chapter VIII of the Criminal Procedure Code.

2.When the matter was taken up for hearing, the learned Government Advocate (Crl.side) would submit that the name of the petitioner was added in the history sheet in the year 2006 in H.S.No.24 of 2006 and against him 18 cases are pending. He further submitted that the third respondent has initiated proceedings under Section 109 of Cr.P.C. against the petitioner in proceedings LIR.No.03 of 2018, dated 08.12.2018 and that the petitioner has been called for enquiry in respect of the proceedings and the respondents have not harassed the petitioner.

3.Considering the facts and circumstances of the case and considering the fact that the Law Enforcing Agency is entrusted with executive powers under Chapter VIII of Cr.P.C., which deals with security for keeping peace and good behaviour in other cases and



also considering the fact that the said issue was elaborately dealt with by the Hon'ble Apex Court in **Lalitha Kumari Vs. Government of Uttar Pradesh** reported in **2013 (6) CTC 353**, this Court is not inclined to interfere with the powers of the Law Enforcing Agency. Accordingly, this Criminal Original Petition is dismissed. The petitioner is directed to co-operate with the respondents for enquiry and at the time of conducting enquiry, the respondents police shall not harass the petitioner.

sd/
Assistant Registrar(crl. side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Palani, Dindigul District.
3. The Inspector of Police,
Eriodu Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.R.ALAGUMANI, Advocate (SR-60924[F] dated 12/04/2019)

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