



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2019

CORAM

THE HONOURABLE Mr. JUSTICE M. DHANDAPANI

Crl.O.P(MD)No.5541 of 2019

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V.C.Selvam

... 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 Office,
Palani, Dindigul District.
3. The Inspector of Police,
Eriodu Police Station,
Dindigul District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents for 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.Alaglumani
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. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents and perused the materials placed on record.

3. When the matter is taken up for hearing, the learned Government Advocate (Crl.Side) represented that this petitioner is directed to execute the bond under Section 110 of Cr.P.C and the mandatory procedure will be followed.

4. Under such circumstance, once the authority initiated the proceedings as per the code, the question of 'not to harass' will not arise, because the expression 'harassment' is so subjective that it cannot be encapsulated in an objective criterion. This Court has dealt with this aspect at length and passed a detailed order in the case of **Dorand and others Vs the Superintendent of Police,**



Nagercoil, Kanyakumari District and another in Crl.O.P (MD) No.1727 of 2016 decided on 01.02.2016.

5. Hence, this petition is dismissed.

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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 Office,
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-60926[F] dated 12/04/2019)

Crl.O.P. (MD) No.5541 of 2019
12.04.2019

dss

MK/KK (06.05.2019) 2P 6C