



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2019

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.(MD)No.6381 of 2019

Anantharaj

... Petitioner

/Vs./

1.The Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Vallioor, Tirunelveli District.

3.The Inspector of Police,
Thisayanvilai Police Station,
Radhapuram Taluk, Tirunelveli District.

4.Muthukrishnan

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the respondents 1 to 3 herein not to harass the petitioner in the guise of petition enquiry.

For Petitioner

: Mr.M.Manivel Pandian

For R-1 to R-3

: Mr.V.NeelAkandan

Additional Public Prosecutor

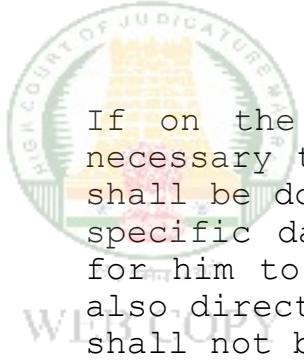
ORDER

This petition is filed to direct the respondents herein not to harass the petitioner in the guise of petition enquiry.

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

3. The learned Additional Public Prosecutor submitted that the fourth respondent has preferred a complaint, wherein he has made an allegation that the petitioner has made some false messages. The respondent police have neither harassed the petitioner nor intended to harass him.

4. The said statement of the learned Additional Public Prosecutor is recorded. This Court now directs the respondent police that if the complaint discloses *prima facie* commission of any cognizable offence, necessarily the investigating Agency should follow the principles in the judgment reported in the case of **Lalitha Kumari Vs. Government of Uttar Pradesh** [2013 (6) CTC 353].



If on the other hand the third respondent considers that it is necessary to hold any preliminary enquiry / interrogation, the same shall be done only on summons 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.

5. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Tirunelveli District.
- 2.The Deputy Superintendent of Police,
Vallioor, Tirunelveli District.
- 3.The Inspector of Police,
Thisayanvilai Police Station,
Radhapuram Taluk, Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.M.MANIVEL PANDIAN, Advocate (SR-63833[F] dated 29/04/2019)

Cr1.O.P. (MD)No.6381 of 2019
29.04.2019

CS (30/05/2019) 3P 6C