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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.03.2019
CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) Nos. 5988 and 5989 of 2019
and
W.M.P. (MD) Nos. 4780 and 4781 of 2019

R.Selvasudhakaran Petitioner in W.P. (MD) No. 5988 of 2019

A.Murugan Petitioner in W.P. (MD) No. 5989 of 2019

Vs.

1. The Superintendent of Police,
Tirunelveli District.

2. The Deputy Superintendent of Police,
Ambasamudram Sub-Division,
Tirunelveli District.

3. The Inspector of Police,
Alwarkurichi Police Station,
Tirunelveli District.

4. Kumar ... Respondents in both petitions

PRAYER in W.P. (MD) No. 5988 of 2019 :- Petitions filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents No. 3 and 4 not to interfere into the petitioner's marriage celebrations in connection with the marriage which is scheduled to be taken place on 17.03.2019 at M.S. Mahala, North Main Road, Valliyor, Tirunelveli District by harassing the petitioner under the guise of making use of their powers contemplated in Cr.P.C.

Prayer in WP (MD) No. 5989/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No. 3 and 4 not to interfere into the petitioners personal life and liberty by harassing the petitioner under the guise of making use of their powers contemplated in Cr.P.C.

For Petitioners : Mr. R. Anand
For R1 to R3 : Mrs. S. Bharathi
Government Advocate
(in both petitions)

**COMMON ORDER**

The present petitions are filed seeking protection from the third respondent that they may not be harassed by the respondent police.

2. The short canvass by the learned counsel for the petitioner is that the petitioner in W.P.(MD)No.5889 of 2019 was arrayed as A5 in S.C.No.48 of 2011 on the file of the fourth Additional District and Sessions Judge, Tirunelveli. The petitioner in W.P.(MD)No.5988 of 2019 is stated to be the brother-in-law of the other petitioner, Murugan, whose marriage is scheduled to take place on 17.03.2019.

3. Be that as it may, since the 9th accused in S.C.No.48 of 2011 absconded, the learned Sessions Judge has issued NBW against him. In the garb of searching the absconding accused, the police is harassing both the petitioners.

4. The learned Government Advocate now made a statement, on instructions, that the 9th accused in S.C.No.48 of 2011 has since surrendered before the Court and NBW pending against him was recalled by the concerned Sessions Court.

5. The said statement is recorded. Since there is no immediate threat perception for these petitioners, nothing survives in this petition. However, if at all the petitioners are required for any interrogation or any enquiry, that should be done only on summons to the petitioners mentioning the specific date and time for enquiry. During enquiry, there shall not be harassment to the petitioners.

6. With the above direction, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

/ True Copy /

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Tirunelveli District.

2. The Deputy Superintendent of Police,
Ambasamudram Sub-Division,
Tirunelveli District.



3.The Inspector of Police,
Alwarkurichi Police Station,
Tirunelveli District.

+2 CC to M/s.R.ANAND, Advocate (SR-54819[F] dated 18/03/2019)
(SR-54820[F] dated 18/03/2019)

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