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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL OP(MD).No. 8609 of 2019

S. Mathialagan

... Petitioner

Vs.

1. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2. The Deputy Superintendent of Police,
Iluppur,
Pudukkottai District.

3. The Inspector of Police,
Viralimalai Police Station,
Viralimalai, Pudukkottai District.

4. Ponnar

5. Kathick

... Respondents

PRAYER: This Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents-1 & 2 to instruct the third respondent not to harass the petitioner under the guise of enquiry without any valid complaint.

For Petitioner : Mr.S. Gopalamanikandan

For Respondents-1 to 3 : Mr. K.K. Ramakrishnan

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the third respondent Police not to harass the petitioner under the guise of enquiry.

2.The grievance of the petitioner is that based on a complaint given by the petitioner against the fourth and fifth respondents with regard to some civil dispute, the third respondent the guise of conducting enquiry is harassing the petitioner and also has illegally taken the mobile phone of the petitioner. In the above circumstances, the petition has been filed.



3.The learned Additional Public Prosecutor appearing for the State, on instructions, submitted that the petitioner's complaint has been enquired into and the same was closed as "mistake of fact" and the Mobile Phone was also returned to the petitioner.

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4.Considering the facts and circumstances of the case and also considering the fact that the enquiry has been conducted and the same was closed, nothing further adjudication is required in this Criminal Original Petition. However, the third respondent is directed not to harass the petitioner under the guise of enquiry.

5.Accordingly, the Criminal Original Petition stands closed.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

tsg

To

1. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2. The Deputy Superintendent of Police,
Iluppur,
Pudukkottai District.

3. The Inspector of Police,
Viralimalai Police Station,
Viralimalai, Pudukkottai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SCR(CO)

TR (25.07.2019) 2P 5C