



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.(MD)No.9665 of 2019

Senthil

... Petitioner

Vs.

1.The Superintendent of Police
Pudukkottai District
Pudukkottai

2.The Sub Inspector of Police
Thirumayam Police Station
Pudukkotai District
Pudukkottai

3.The Sub Inspector of Police
Panayapatti Police Station
Pudukkottai District

4.Sethupathi
Divisional Engineer (High ways)
Pudukkottai

....Respondents

Prayer: This Criminal Original Petition has been filed under Section 482 Cr.P.C. to direct the respondents 1 to 3 not to harass the petitioner and his family members under the false case without due process of law on the basis of the petitioner's representation dated 27.06.2019.

For Petitioner : Mr.D.Rameshkumar
For Respondents 1 to 3 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1.Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 to 3 not to harass the petitioner and his family members under the false case.

2.The grievance of the petitioner is that the petitioner is working as a Superintendent in the highways department at Thirumayam. Due to previous enmity between the petitioner and the fourth respondent, the fourth respondent instigated one Deepa and preferred a complaint before the second respondent police stating that the petitioner said to have spread some unwanted rumors and



abused her by using her caste name. Based on the complaint, the second and third respondents are harassing the petitioner. Hence, the petitioner has filed this Criminal Original Petition.

3.Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl.Side), appearing for the respondents 1 to 3, on instructions, would submit that already the petitioner is an accused in Crime No.78 of 2019 on the file of the Thirumayam Police Station for the offences punishable under Section 354 A, 509 I.P.C and Section 3(1) (W) (i) and 3(1) (w) (ii) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015 and the investigation is pending. Since the petitioner has spread some false video through Whatsapp against one Sethupathi, who is working as a Divisional Engineer, High Ways, Pudukkottai with regard to construction of bridge at Namanasamuthiram to Ponnamaravathi Road, a complaint has been lodged against the petitioner. Based on the complaint, the third respondent police registered a case in Crime No.37 of 2019 for the offences punishable under Section 505(1) (b) I.P.C and Section 66A(c) of Information Technology Act, 2000 and the investigation is pending. The learned Government Advocate (Crl.Side) would further state that the respondent police is not harassing the petitioner.

4. Considering the fact that already two F.I.R have been registered against the petitioner and the investigations are pending in both cases, the prayer sought for by the petitioner cannot be granted. Hence, this Criminal Original Petition is dismissed.

Sd/-

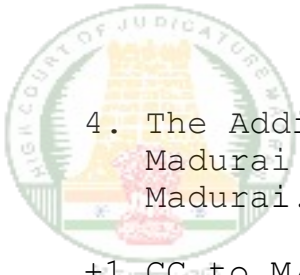
Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To:

- 1.The Superintendent of Police
Pudukkottai District
Pudukkottai
- 2.The Sub Inspector of Police
Thirumayam Police Station
Pudukkotai District
Pudukkottai
- 3.The Sub Inspector of Police
Panayapatti Police Station
Pudukkottai District



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

+1 CC to M/s.D.RAMESHKUMAR, Advocate (SR-74296[F] dated
09/07/2019)

Cr1.O.P. (MD) No. 9665 of 2019
09.07.2019

MSA

KK/SAR/24.07.2019/3P-6C

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