



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P. (MD)No.9701 of 2019

WEB COPY

Arivarasu

... Petitioner

Vs.

1.The Deputy Inspector General of Police
Thanjavur Range
Thanjavur

2.The Superintendent of Police
Office of the Superintendent of Police
Thanjavur District

3.The Deputy Superintendent of Police
Economic Offences Wing
Thanjavur

4.R.S.Pandian

....Respondents

Prayer: This Criminal Original Petition has been filed under Section 482 Cr.P.C. to direct the 1st and 2nd respondents herein to direct the 3rd respondent herein not to harass the petitioner and his son on the guise of enquiry based on the representation dated 29.06.2019 given by the petitioner.

For Petitioner : Mr.N.R.Balaji

For Respondents 1 to 3 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the third respondent herein not to harass the petitioner and his son under the guise of enquiry.

2.The grievance of the petitioner is that there was a dispute between the petitioner's son and the fourth respondent with regard to construction of work. Hence, the fourth respondent lodged a complaint against the petitioner's son. Based on the complaint, a crime has been registered against the petitioner's son in Crime No.6 of 2019 by the third respondent police, namely, the Deputy Superintendent of Police, Economic Offences Wing, Thanjavur for the offence punishable under Sections 417 and 420 I.P.C. In this circumstance, the third respondent police is unnecessarily harassing the petitioner under the guise of enquiry. Hence, the present Criminal Original Petition has been filed.



3.Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl.Side), appearing for the respondents 1 to 3, on instructions, would submit that based on the complaint given by the fourth respondent, the first information report has been registered in Crime No.6 of 2019 against the petitioner's son. Now, the petitioner's son is in Saudi Arabia and hence, Look Out Circular was also issued against him. During the investigation, the petitioner was enquired and he has not been harassed by the third respondent police.

4. Admittedly the petitioner's son only the accused in a civil case, hence, the third respondent police is directed not to harass the petitioner under the guise of enquiry. However, the third respondent police is permitted to proceed with the investigation in the manner known to law.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To:

- 1.The Deputy Inspector General of Police
Thanjavur Range, Thanjavur
 - 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur District.
 - 3.The Deputy Superintendent of Police,
Economic Offences Wing,
Thanjavur.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to Mr.N.R.BALAJI, Advocate SR-74412.

Cr1.O.P. (MD) No.9701 of 2019
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