



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 29.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P. (MD) .No.10619 of 2019

Maria Jeyakumar

... Petitioner

-Vs-

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

2.The Inspector of Police,
Alwar Thirunagari Police Station,
Thoothukudi District.

3.Dhanislas

4.Jasmin

5.Xavier Suresh

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., for a direction to the second respondent not to interfere with the civil dispute and not to harass the petitioner on the guise of enquiry, except under due process of law.

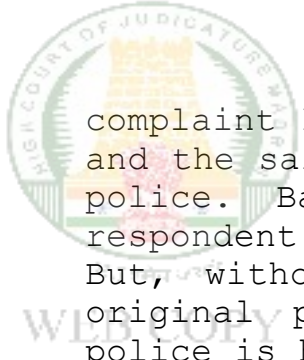
For Petitioner	:	Mr.R.Ramachandran
For R1 & R2	:	Mr.K.K.Ramakrishnan
		Government Advocate (Crl. Side)

O R D E R

The criminal original petition has been filed seeking a direction to the second respondent police not to harass the petitioner.

2. The grievance of the petitioner is that on the basis of conducting enquiry, the second respondent police issued summons repeatedly to the petitioner and harassing him. Hence, the present criminal original petition has been filed.

3. Today, the learned Government Advocate (Crl.side) on instructions would submit that earlier the petitioner has lodged a



complaint before the Superintendent of Police, Tuticorin District and the said complaint has been forwarded to the second respondent police. Based on the petitioner's complaint, now the second respondent police calling the petitioner to appear for enquiry. But, without appearing for the enquiry, the present criminal original petition has been filed as if the second respondent police is harassing the petitioner.

4. On perusal of the records, it is seen that only the petitioner has made a complaint to the Superintendent of Police, Tuticorin District and based on the complaint, the Sub Inspector of Police, Kurumbur Police Station, Tuticorin District issued summons to the petitioner. Now, the enquiry is being conducted by the Inspector of Police, Alwarthirunagari Police Station, Thoothukudi District.

5. Considering the fact that the enquiry is being conducted by the second respondent police, based on the complaint given by the petitioner, the petitioner cannot file a petition before this Court seeking for the above said relief. Hence, the relief sought for by the petitioner cannot be granted. Accordingly, this criminal original petition is dismissed. However, the petitioner is directed to appear for enquiry, pursuant to the notice issued by the second respondent police.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police,Alwar Thirunagari Police Station,
Thoothukudi District.

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

+1 CC to M/s.SPL GP (SR-78145[F] dated 29/07/2019)

+1 CC to M/s.R.RAMACHANDRAN, Advocate (SR-78366[F] dated
30/07/2019)

Cr1.O.P. (MD) .No.10619 of 2019

29.07.2019