



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.(MD) No.11148 of 2019

P.A.S.Alaguraja

: Petitioner

Versus

1.The Commissioner of Police,
Madurai City.

2.The Deputy Commissioner of Police,
Madurai City.

3.The Assistant Commissioner of Police,
(Law and Order),
Thilagar Thidal Range,
Thilagar Thidal Police Station,
Madurai City.

4.The Inspector of Police,
C-5, Karimedu Police Station,
Madurai City.

: Respondents

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code to direct the second and fourth respondents not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Criminal side)

O R D E R

This petition has been filed seeking a direction to the respondent Nos.2 and 4 not to harass the petitioner under the guise of enquiry.

2.The grievance of the petitioner is that the fourth respondent Police initiated proceedings under Section 110 of the Code of Criminal Procedure against the petitioner without issuing any notice and based on the same, the fourth respondent Police has been harassing the petitioner. Hence, the present petition has been filed.



3.Today, when the matter was taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents, on instructions, submitted that the petitioner is a history sheeted rowdy. Now proceedings under Section 110 of the Code of Criminal Procedure has been initiated against him and a notice is also sent to the petitioner, but the petitioner refused to receive the same. Now, to escape from the said proceedings, the present petition has been filed.

4.Mr.R.Anand, learned counsel appearing for the petitioner would submit that so far no notice has been issued to the petitioner and he is very much available in his residence

5.Considering the above circumstances, if at all any proceedings is to be initiated under Section 110 of the Code of Criminal Procedure against the petitioner herein, the respondents are directed to issue notice to the petitioner, thereafter, initiate proceedings under Section 110 of the Code of Criminal Procedure Code against him.

6.With the above direction, the Criminal Original Petition stands closed accordingly.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Deputy Commissioner of Police,
Madurai City.
- 3.The Assistant Commissioner of Police, (Law and Order),
Thilagar Thidal Range, Thilagar Thidal Police Station,
Madurai City.
- 4.The Inspector of Police,
C-5, Karimedu Police Station, Madurai City.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
Crl.O.P. (MD) No.11148 of 2019
08.08.2019