



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P. (MD)No.11671 of 2019

1.Muthiah
2.Rajammal

... Petitioners

Vs.

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

2.The State rep by
The Inspector of Police,
Palavoor Police station,
Palavoor, Tirunelveli District.

3.The Inspector of Police (Crime),
Vallioor Police Station,
Vallioor, Tirunelveli District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents particularly the second and third respondents not to harass the petitioners and their family members who did not get involved in any offences under the guise of enquiry forthwith.

For Petitioners : Mr.S.Palani Velayutham

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

ORDER

This petition has been filed to direct the second and third respondents not to harass the petitioners under the guise of enquiry.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the official respondents. Taking into consideration the nature of the order going to be passed in this petition, notice to the third respondent is dispensed with.



3. The grievance of the petitioners is that the petitioners' son viz., Murugan @ Naripari Murugan @ Senthilvel is the accused in a criminal proceedings in P.R.C.No.9 of 2009 pending on the file of the learned Judicial Magistrate, Vallioor. The petitioners' son was charged for the offence under Sections 302 r/w 120 (b) r/w 34 and 201 IPC. With regard to the said case a Non Bailable Warrant was issued against the petitioners' son and the same is pending. Now under the guise of the executing the non bailable warrant, the respondent police is harassing the petitioners. Hence, the petitioners have preferred the present petition.

4. Today, when the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the official respondents, on instructions, would submit that the petitioners' son is an accused in the above said case and non bailable warrant issued against him by the learned Judicial Magistrate is pending. Only in order to execute the same, the respondent police called the petitioners for enquiry. He would further submit that the respondent police has not harassed the petitioners as alleged by them.

5. Considering the fact that the only petitioners' son is an accused in P.R.C.No.9 of 2009 and Non Bailable Warrant is pending against the petitioner with regard to the said case, the respondent police is directed not to harass the petitioners under the guise of enquiry. However, the petitioners are directed to cooperate with the respondent police to find out the accused.

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

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police,
Palavoor Police station,
Palavoor, Tirunelveli District.



3.The Inspector of Police (Crime),
Vallioor Police Station,
Vallioor, Tirunelveli District.

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

+1 CC to M/s.S. PALANI VELAYUTHAM, Advocate (SR-83363[F] dated
26/08/2019)

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JMN(16.09.2019) 3P : 6C