

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.OP.No.34249 of 2019

K.Munusamy

.. Petitioner

-vs-

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

2.The Inspector of Police,
Guruparapalli Police Station,
Guruparapalli,
Krishnagiri District.

3.The Sub-Inspector of Police,
Vepanapalli Police Station,
Vepanapalli,
Krishnagiri District.

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 3rd respondent not to harass the petitioner based on the petitioner's representation dated 27.11.2019.

For Petitioner : Mr.K.G.Senthilkumar

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed to direct the third respondent not to harass the petitioner.

2. The learned counsel for the petitioner has submitted that the third respondent has registered a false case against the petitioner in Cr.No.213 of 2019 under Section 8(c) and 20(b), (ii) (A) of NDPS Act on 17.06.2019 and arrested the petitioner on the same date and produced before the Judicial Magistrate No.2, Krishnagiri. He further submitted that the

learned Judicial Magistrate No.2, Krishnagiri, refused to remand the petitioner on the ground that the petitioner was not arrested at the time alleged in the remand report. He further submitted that subsequently, that the petitioner was released on bail by the 3rd respondent in the police station and no other case is pending against the petitioner. But the 3rd respondent is unnecessarily harassing the petitioner. Hence, he requests to direct the 3rd respondent not to harass the petitioner.

3. The learned Additional Public Prosecutor has submitted that the petitioner is involved in Cr.No.213 of 2019 under section 8(c) and 20(b)(ii) A of NDPS Act. He was arrested and subsequently he was released on bail. He further submitted that only for investigation purpose, the petitioner was called and he was not subject to any harassment.

4. Since a case has been registered against the petitioner in Cr.No.213 of 2019 under Sections 8(c) and 20(b), (ii) (A) of NDPS Act, the petitioner has to co-operate for investigation if he is called for investigation purpose, he cannot content that he is harassed. Hence, this Court does not find any merit.

5. In the result, the Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar (C.S.VI)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.2, Krishnagiri.
2. -Do-Thro' The Chief Judicial Magistrate, Krishnagiri.
3. The Superintendent of Police,
Krishnagiri, Krishnagiri District.
4. The Inspector of Police, Guruparapalli Police Station,
Guruparapalli, Krishnagiri District.
5. The Sub-Inspector of Police, Vepanapalli Police Station,
Vepanapalli, Krishnagiri District.
6. The Public Prosecutor, High Court, Madras.

+1 cc to M/s.K.G.Senthilkumar, Advocate Sr.No. 8268

AKM/13.03.2020/2P-8C /

CRL.O.P.No.34249 of 2019