



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.34559 of 2019

K.Karunanithi

.. Petitioner

-vs-

1. The District Superintendent of Police,  
Thiruvarur District.

2. The Inspector of Police,  
Kudavasal Police Station,  
Thiruvarur District.

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2<sup>nd</sup> respondent herein not to harass this petitioner in the guise of enquiry.

|                 |                                                    |
|-----------------|----------------------------------------------------|
| For Petitioner  | : Mr.S.V.Karthikeyan                               |
| For Respondents | : Mr.Mohamed Riyaz<br>Additional Public Prosecutor |

ORDER

This Criminal Original Petition has been filed to direct the 2<sup>nd</sup> respondent herein not to harass this petitioner in the guise of enquiry.

2. The learned counsel for the petitioner has submitted that the petitioner, after completing his school education, went to Coimbatore in search of job and is now making arrangements for going abroad for job. The petitioner while residing in the village had friendship with some of his age mates, who have now been involved in criminal activities and since the petitioner had returned from Coimbatore, he had met his friends casually. Taking note of the same, the second respondent police have taken custody of the petitioner on 12.12.2019. The petitioner was compelled to confess a theft case which was alleged to have happened in the month of September 2019 when the petitioner was in Coimbatore. When he refused for the same, he was taken to a



private house in Thiruvavarur, where the Inspector of Police and the Sub Inspector of Police attached with the second respondent had beaten the petitioner and threaten him showing the pistol. He further submitted that when the father of the petitioner has approached the second respondent police, he was informed that his son was not in a police custody and when he approached the first respondent through his counsel, the second respondent police had called the father of the petitioner and demanded Rs.2,50,000/- for leaving the petitioner without registering a case. Ultimately, he was allowed to go free on 12.12.2019 at about 10.00, on assurance that the father of the petitioner shall pay the said sum of Rs.2,50,000/-. He further submitted that the second respondent is unnecessarily harassing the petitioner, demanding the aforesaid amount.

3. The learned Additional Public Prosecutor has submitted that since petitioner has lodged a complaint and only for enquiry purpose in the said complaint, he was called and he was not subjected to any harassment.

4. If any complaint is received against the petitioner and if the said complaint discloses any cognizable offence, the second respondent has to register a case. In case, the said complaint does not disclose any cognizable offence, the second respondent can conduct preliminary enquiry with the complainant and if the said enquiry reveals any cognizable offence, he can register a case and proceed further in accordance with law. Instead of that he should not unnecessarily harass the petitioner.

5. With the aforesaid directions, this Criminal Original Petition is disposed of.

s/d-  
Assistant Registrar(CS-III)

True Copy  
Sub-Assistant Registrar

Vv

To

1. The District Superintendent of Police,  
Thiruvavarur District.

2/3



2. The Inspector of Police,  
Kudavasal Police Station,  
Thiruvarur District.

3. The Public Prosecutor,  
High Court, Madras.

+1 cc to Mr.S.V.Karthikeyan Advocate sr8276

Crl.O.P.No.34559 of 2019

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