



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P (MD) No.6085 of 2020

A.Rajkumar

...Petitioner

Vs

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Pudukkottai District.

2.The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai Town and District.

...Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent not to harass the petitioner and his family.

For Petitioner	: Mr.K.Baalasundharam
For R1 & R2	: Mr.K.K.Ramakrishnan
	Additional Public Prosecutor

ORDER

This petition is filed seeking a direction to the respondent Police not to harass the petitioner and his family members under the guise of enquiry.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor, produced a copy of the proceedings referred by the Revenue Divisional Officer under Section 110(a) Cr.P.C. Section 110(a) of Cr.P.C., contemplates that whenever an Executive Magistrate receives an information that there is a person within his local jurisdiction is by habit a robber, house-breaker, thief or forger, he may call for security for his good behaviour from that habitual offender.

3.According to the learned Additional Public Prosecutor, a history sheet was also opened against this petitioner pursuant to his conviction for the offence under Section 304(2) of IPC in yet another case.

4.A reading of the FIR in Crime No.564 of 2020, dated 06.06.2020, would show that this petitioner was creating some nuisance in the public road and for the same, invoking the provision under Section 110(a) of Cr.P.C., is not warranted. However, the proceedings have been initiated against this petitioner under Section 110(a) of Cr.P.C.

5.The learned counsel appearing for the petitioner submits that the petitioner is not aware of the proceedings initiated under



Section 110(a) of Cr.P.C., against him and sought for a copy of the FIR registered against him in Crime No.564 of 2020.

6.The learned Additional Public Prosecutor is directed to furnish a copy of the FIR in Crime No.564 of 2020 to the petitioner's counsel through mail and it is open to the petitioner to challenge the same in the manner known to law, if he is so advised.

7.In view of the above, this Criminal Original Petition is closed as no further order is required.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmi/vs
To

- 1.The Superintendent of Police,
O/o. the Superintendent of Police,
Pudukkottai District.
- 2.The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai Town and District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD)No.6085 of 2020
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KB (24.06.2020) 2P 4C