



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.11.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

Crl.O.P. (MD)No.12337 of 2020

Suresh @ Suresh Kumar

... Petitioner

Vs.

1.The Superintendant of Police,
Virudhunagar District,
Virudhunagar.

2.The Deputy Superintendant of Police,
Sivakasi,
Virudhunagar District.

3.The Inspector of Police
Sivakasi Taluk Police Station,
Virudhunagar District.

4.The Sub-Inspector of Police
Maraneri Police Station,
Virudhunagar District.

5.Atheeswaran
Sub-Inspector of Police
Maraneri Police Station,
Virudhunagar District.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent 4 and 5 herein not to harass the petitioner in the name of enquiry / investigation.

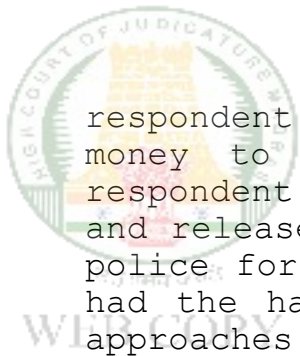
For Petitioner : Mr.M.Jothi Basu

For Respondents 1 to 4 : Mr.V.Neelakandan,
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent 4 and 5 herein not to harass the petitioner in the name of enquiry / investigation.

2.The petitioner would state that the petitioner and his father running a quarry in accordance with the conditions stated in the licence. Nearly twenty persons are running quarry business in that area without obtaining any valid permission / licence. The quarry owners are paying a sum of Rs.25,000/- per month to the police station to prevent them from taking action. The fifth



respondent frequently comes to the quarry site and demanding some money to run it smoothly. At the instigation of the fifth respondent already two criminal cases were registered against him and released on bail. The petitioner is ready to appear before the police for enquiry, if they issue summon. But the fifth respondent had the habit of harassing him in the name of enquiry. Hence, he approaches this Court.

3. When the petition is taken up for hearing, the learned Additional Public Prosecutor, on instructions, would submit that there is an enquiry pending against the petitioner.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 4.

5. Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the respondents 1 to 4 to follow the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** while enquiring the petitioner.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

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

2. The Deputy Superintendent of Police,
Sivakasi,
Virudhunagar District.

3. The Inspector of Police
Sivakasi Taluk Police Station,
Virudhunagar District.

<https://hcservices.courts.gov.in/hcservices/>



4.The Sub-Inspector of Police
Maraneri Police Station,
Virudhunagar District.

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

+1 CC to M/s.G,M,LAW OFFICE, Advocate (SR-21207[F] dated 05/11/2020
)

CrI.O.P.[MD]No.12337 of 2020
04.11.2020

CK(CO)
AP(18/11/2020) 3P 7C