



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.13322 of 2020

P.Jeyakumar

: Petitioner

Vs.

1.The Deputy General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai - 04.

2.State represented by
The Inspector General of Police,
South Zone, Madurai.

3.The Commissioner of Police,
Office of the Commissioner of Police,
Alagarkovil Main Road, Madurai.

4.The Deputy Commissioner of Police (Crime)
Madurai City, Madurai.

5.The Assistant Commissioner of Police,
Anti Land Grabbing Wing, Madurai.

6.Ilavarasan

7.Bhavani

:Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Respondent No.5 not to harass the petitioner and his family members.

For Petitioner : Mr.S.Mahendrapathy

For Respondents: Mr.V.Neelakandan
Additional Public Prosecutor, for R1 to R5.

ORDER

This Criminal Original Petition has been filed to direct the fifth respondent not to harass the petitioner and his family members under the guise of enquiry.

2. The learned counsel appearing for the petitioner reiterated the contentions set out in the affidavit. He further



submitted that there was a money dispute between the petitioner and the respondents 6 and 7. In this regard, the seventh respondent lodged a complaint before the fifth respondent as against the petitioner. Due to which, the fifth respondent has harassed the petitioner under the guise of enquiry. Hence, the petitioner made a representation dated 17.11.2020 to the first respondent and requested him to direct the fifth respondent not to interfere with the civil dispute and not to harass the petitioner.

3.The learned Additional Public Prosecutor appearing for the official respondents, on instructions, would submit that the petitioner was called for an enquiry only and the respondent police has not harassed the petitioner. He further submitted that before enquiry, summon will be issued to the petitioner.

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

5.Whatever might be the circumstances, the respondent police investigate into the matter in accordance with law and the mandates as found set out in ***D.K.Basu Vs.State of West Bengal reported in AIR (1997) SC 610***. If really, the police want to interrogate, it is open for the police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das

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 Deputy General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai - 04.

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



2. The Inspector General of Police,
South Zone, Madurai.
3. The Commissioner of Police,
Office of the Commissioner of Police,
Alagarkovil Main Road, Madurai.
4. The Deputy Commissioner of Police (Crime)
Madurai City, Madurai.
5. The Assistant Commissioner of Police,
Anti Land Grabbing Wing, Madurai.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.13322 of 2020

24.11.2020

NA (CO)

NR (04/12/2020) 3P : 7C