



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2020

CORAM:

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

Crl.O.P.(MD)No.13739 of 2020

V.Rajamanickam @ Sathishkumar

... Petitioner

Vs.

1.The Inspector of Police,
All Women Police Station Contonement,
Trichy District.

2.K.Lalithambigai.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents 1 & 2 not to harass the petitioner under the guise of enquiry.

For Petitioner	:	Mr.A.Senthilkumar
For R1 & R2	:	Mr.V.Neelakandan
		Additional Public Prosecutor.

ORDER

This petition has been filed to direct the respondents 1 & 2, not to harass the petitioner under the guise of enquiry.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Criminal Side) for the official respondents.

3.The learned counsel for the petitioner would submit that the petitioner and the defacto complainant are neighbours and they are working in onion market at Trichy. According to the petitioner, at the instigation of the shop owner and in order grab money from the petitioner, the second respondent has made a false complaint against the petitioner, based on which, the respondent police also threatened the petitioner to pay a sum of Rs.15,00,000/- or otherwise to marry her. According to the petitioner, the defacto complainant has the habit of grabbing money by such threat. The learned counsel for the petitioner would submit that even without sending summon to the petitioner, the respondent police has called the petitioner for enquiry and insisted to pay the amount to the second respondent herein. Hence, the petitioner has come before this Court with this Criminal Original Petition.

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

4.When the petition is taken up for hearing, the learned



Additional Public Prosecutor, on instructions, would submit that based on the complaint given by the second respondent, CSR No.296 of 2020 has been assigned on 18.11.2020 and the enquiry is pending.

5.Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the respondent police 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 (CS II)

// True Copy //

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Sub Assistant Registrar(CS)

vrn

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 Inspector of Police,
All Women Police Station Contonement,
Trichy District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.13739 of 2020
02.12.2020

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