



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.14152 of 2020

E.R.Jegadeesan

.. Petitioner

Vs.

1.The Deputy Superintendent of Police,
Theni,
Theni District.

2.State rep. by
The Inspector of Police,
Theni Police Station,
Theni District.

3.A.Chandrasekar

.. Respondents

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

For Petitioner : Mr.J.Senthil Kumar

For R1 & R2 : Mr.V.Neelakandan,
Additional Public Prosecutor.

ORDER

The Criminal Original Petition has been filed by the petitioner seeking a direction to the respondents 1 and 2 not to harass the petitioner in the name of enquiry.

2. According to the petitioner, he is a landlord and the third respondent is the tenant. The third respondent has given a complaint against the petitioner and a case has been registered in Crime No.260 of 2019 dated 31.03.2019 and he has filed a civil suit in O.S.No.96 of 2019 on the file of the learned Principal District Munsif Court, Theni, and the same is pending.

3.The learned Additional Public Prosecutor, on instructions, would submit that on the complaint of the 3rd respondent, there is an enquiry pending against the petitioner.

4.Considering the facts and circumstances of the case, if at all the petitioner is required for enquiry, it shall be done only following 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.***



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

Sd/-

Assistant Registrar ()

// True Copy //

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/ /2021

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 Deputy Superintendent of Police,
Theni,
Theni District.

2. The Inspector of Police,
Theni Police Station,
Theni District.

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

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SV2(CO)
KB(03.02.2021) 2P 4C