



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.14149 of 2020

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Sankaranarayanan

... Petitioner

Vs

1.The Superintendent of Police

Virudhunagar District.

2.The Inspector of Police

Vanniyampotti Vilakku Police Station,

Virudhunagar District.

3.Muthukumar,

The Sub Inspector of Police

Vanniyampotti Vilakku Police Station,

Virudhunagar District.

4.Yasotha,

Police Constable,

Vanniyampotti Vilakku Police Station,

Virudhunagar District.

5.Nithyadevi

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 2 to 4 herein not to harass the petitioner in the name of enquiry without due process of law.

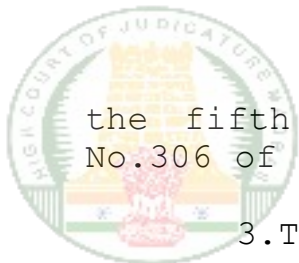
For Petitioner : Mr.S.Ramasamy

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

O R D E R

This Criminal Original Petition has been filed to direct the respondents 2 to 4 herein not to harass the petitioner in the name of enquiry without due process of law.

2. According to the petitioner, the fifth respondent and her family members had frequently quarrelled with the petitioner's family in trivial matters and threatened to kill them. Immediately, the petitioner has given a complaint to the second respondent on 24.08.2020 and a case has been registered in Crime No.307 of 2020 dated 30.08.2020. In the mean time, the fifth respondent has given a false complaint against the petitioner at the police station of the fourth respondent, who is close relative of



the fifth respondent and a case has been registered in Crime No.306 of 2020.

3.The grievance of the petitioner is that respondent police unnecessarily harassed the petitioner to settle the issues.

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4.The learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that it is a case and case in counter and based on the complaints given by the fifth respondent and petitioner, case has been registered in Crime Nos.306 and 307 of 2020 dated 30.08.2020. He would further submit that the petitioner was called for an enquiry only and the respondent police is not harassing the petitioner. He would further submit that before enquiry, summon will be issued to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

6.Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the respondents 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-I)

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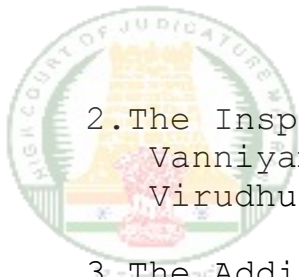
Sub Assistant Registrar(CS)

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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.



2.The Inspector of Police
Vanniyampotti Vilakku Police Station,
Virudhunagar District.

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

**Cr1.O.P(MD)No.14149 of 2020
07.12.2020**

KG(CO)
KM (18.12.2020) 3P 4C