



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2020

CORAM:

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

Crl.O.P. (MD)No.14829 of 2020

WEB COPY

R.Selvi

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

3.The Deputy Superintendent of Police,
Mudhukulathur,
Ramanathapuram District.

4.The Inspector of Police,
Emeneshwaram Police Station,
Paramakudi,
Ramanathapuram District.

5.The Inspector of Police,
Mudhukulathur Police Station,
Ramanathapuram District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents 2 to 5 not to harass the petitioner under the guise of investigation.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.V.Neelakandan

Additional Public Prosecutor.(Crl.side)

ORDER

This petition has been filed to direct the respondents 2 to 5 not to harass the petitioner under the guise of investigation.

2. The case of the petitioner is that a false case has been foisted against the petitioner and her husband alleging that 1.300 kg ganja was recovered from them and subsequently, she got Anticipatory Bail. Thereafter, the petitioner's husband was implicated as A3 in Crime No.219 of 2019 on the file of the Mudhukulathur Police Station. It is averred in the petition that since the petitioner belongs to Scheduled caste community, the respondent police are foisting false cases against her husband continuously. In this regard, the petitioner has given a detailed representation to the State Human Rights Commission and the 1st



respondent on 05.12.2020. Since there is no progress on her representation, she has come before this Court with this Criminal Original Petition.

3. When the petition is taken up for hearing, the Additional Public Prosecutor (Criminal Side) on instructions, would submit that the petitioner was never called for any enquiry. He would further submit that there are totally 21 cases pending against the petitioner's husband and the abstract of the pending cases against him also been submitted before this Court.

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

5. Considering the facts and circumstances of the case and taking into consideration the submission of the learned Additional Public Prosecutor (Criminal Side), 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**, if at all the petitioner is called for enquiry.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Vrn

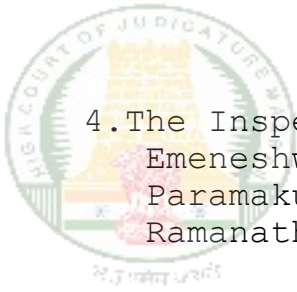
NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Superintendent of Police,
Ramanathapuram District.

2. The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

3. The Deputy Superintendent of Police,
Mudhukulathur,
Ramanathapuram District.



4.The Inspector of Police,
Emeneshwaram Police Station,
Paramakudi,
Ramanathapuram District.

5.The Inspector of Police,
Mudhukulathur Police Station,
Ramanathapuram District.

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

+1 CC to M/s M.Velmurugan, Advocate in SR.No.25790.

CrI.O.P. (MD) No.14829 of 2020
16.12.2020

(PU) CO

AP(04/01/2021) 3P 8C