



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM

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

Crl.O.P. (MD)No.15051 of 2020

A.Faizal

... Petitioner

Vs.

1.The Commissioner of Police,
Thirunelveli City,
Thirunelveli.

2.The Inspector of Police,
Anit Land Grabbing Cell,
Thirunelveli City.

3.The Inspector of Police,
Melapalayam,
Thirunelveli City.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents not to harass the petitioner under the guise of enquiry frequently.

For Petitioner

: Mr.P.Muthupandi

For Respondents

: Mr.V.Neelakandan,

Additional Public Prosecutor

ORDER

This criminal original petition has been filed to direct the respondents not to harass the petitioner under the guise of enquiry frequently.

2.The learned counsel appearing for the petitioner reiterated the contentions put forth in the present petition, and based on the complaints before the Central Crime Branch, Tirunelveli, the petitioner has appeared for enquiry on many times and according to him, enquiry was conducted and closed and all the earlier complaints were closed. Thereafter, the petitioner has filed the suit for permanent injunction before the Sub Court, Tirunelveli. Now the respondents are calling for enquiry. Hence, this petition.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that based on the complaint given by the defacto complainant, an enquiry was initiated in C.S.R.No.860 of 2020, dated 13.11.2020 and the same is pending.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.



5.The learned counsel for the petitioner would state that the civil suit is pending before the Sub Court, Tirunelveli, but the civil suit number is not stated in the petition. However, considering the facts and circumstances of the case, the respondents/police are directed 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.

6.With the above directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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 Sub Judge,
Tirunelveli.
- 2.The Commissioner of Police,
Thirunelveli City,
Thirunelveli.
- 3.The Inspector of Police,
Anit Land Grabbing Cell,
Thirunelveli City.
- 4.The Inspector of Police,
Melapalayam,
Thirunelveli City.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.15051 of 2020
17.12.2020

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