



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.19373 OF 2021

Sengamalam

... Petitioner

Vs.

1. The Superintendent of Police,
Ariyalur District, Ariyalur.

2. The Inspector of Police,
Vikramangalam Police Station,
Ariyalur District, Ariyalur.

... Respondents

PRAYER:

The Writ petition has been filed under Article 226 of Constitution of India to issue a writ of mandamus to direct the 2nd respondent not to harass the petitioner in the guise of enquiry based on the representation/complaint given by the petitioner dated 24.08.2021.

For Petitioner : Mr.Ilayaraja Kandasamy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

The writ petition has been filed not to harass.

2.The petitioner, in his petition, admits that he is involved in three cases viz., Crime No.78 of 2019, Crime No.300 of 2019 and Crime No.45 of 2020. Further, these crimes have been assigned in C.C.Nos.174 of 2019, 126 of 2020 and 148 of 2020 and the trial is pending before the learned Judicial Magistrate Court No.1, Jayankondam. Further, the respondent police approached him and threatening that they would a case under Section 110 Cr.P.C., if he would not cooperate with them and a false case would be foisted against the petitioner and thereafter, he would be remanded to the custody.



3.The Additional Public Prosecutor submits that the petitioner is a regular offender in H.S.No.84 of 2020 and the petitioner is involved in C.C.No.174 of 2019, C.C.No.126 of 2020 and C.C.No.148 of 2020. The cases are under trial. Further, he submits that the petitioner being a history sheeter, the respondent police, as per the procedure, have to monitor the movement of the petitioner. For that reason, he had been called, which cannot be termed as an harassment. Further, as on date, there is no proposal to initiate any proceeding under Section 110 Cr.P.C. against the petitioner.

4.Considering the same and finding that the petitioner has got three cases in C.C.No.174 of 2019, C.C.No.126 of 2020 and C.C.No.148 of 2020 and also a regular offender in H.C.No.84 of 2020 and also informing that the respondent police, as on date, is not contemplating any proceedings to be initiated under Section 110 Cr.P.C. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Judicial Magistrate
Jayankondam.
2. The Superintendent of Police,
Ariyalur District, Ariyalur.
3. The Inspector of Police,
Vikramangalam Police Station,
Ariyalur District, Ariyalur.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Ilayaraja Kandasamy, Advocate, S.R.No.47824

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PCH(CO)
PM/13/10/2021