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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19548 of 2021

P.Sathishkumar
S/o.Late Ponnusamy

...Petitioner

Vs.

1.The Commissioner of Police
Linemedu, Salem

2.The Assistant Commissioner of Police
South Circle, Salem Town, Salem-1

3.The Inspector of Police
Annadhanapatti Police Station
Annadhanapatti
Salem - 636 002

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a suitable direction to the respondent police not to harass the petitioner in the guise of registering false case under the Provisions of I.P.C offence.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

(This case has been heard through video conference)

This petition has been filed seeking for a direction, to direct the respondent police not to harass the petitioner in the guise of registering false case under the Provisions of I.P.C offence.

2.Learned counsel for the petitioner submits that the petitioner is running a travels business and two years back he was falsely implicated in a criminal case by the 3rd respondent as if he was selling lottery ticket, for which, the petitioner has been termed as a habitual offender and his name is listed in the history sheeter rowdy, using the same, the respondent police frequently called the petitioner during night hours and he was



unnecessarily harassed by the respondent police. Hence the petition.

3.Learned Government Advocate (Crl. Side) produced a list of cases involved by the petitioner from the year 2012. He would submit that the petitioner has been continuously indulged himself in the similar type of offence and there are 14 previous cases registered and disposed of against him from the year 2012 to 2019. Now the petitioner has involved in Crime No.79 of 2020, Crime No.247 of 2021, Crime No.249 of 2021 and Crime No.691 of 2021. The petitioner has been listed in the history sheet rowdy in H.S.No.832 of 2020 and his movement is being watched and he was also called by the respondent police for the purpose of enquiry. The petitioner being the history sheetee cannot term this as an harassment.

4.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) and perused the materials placed on record.

5.In view of the submissions made by the learned Government Advocate, it is seen that the petitioner has been called for enquiry and the respondent police had to visit his place for conducting enquiry, which is not amount to any harassment, hence this Court is not inclined to allow this petition.

6.This Criminal Original Petition stands dismissed accordingly.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

kas / jeni

To

1.The Commissioner of Police
Linemedu, Salem

2.The Assistant Commissioner of Police
South Circle, Salem Town, Salem-1

3.The Inspector of Police
Annadhanapatti Police Station
Annadhanapatti
Salem - 636 002.



4.The Public Prosecutor,
High Court,
Madras.

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KSM(CO)
RVM(02/11/2021)