



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Crl.O.P.(MD).No.19 of 2021

Hameed Khan

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram.

2.The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.

3.Murugesan

4.Viswanathan

5.Ramesh

6.James

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioner under the guise of an enquiry.

For Petitioner : Mr.S.M.A.Jinnah

For R1 & R2 : Mr.A.Robinson

Government Advocate (Criminal side)

O R D E R

The present petition is filed by the petitioner under Section 482 Criminal Procedure Code seeking for a direction to the second respondent not to harass him under the guise of an enquiry.

2.Mr.A.Robinson, learned Government Advocate (Criminal side), who accepts notice for the respondents 1 and 2, on instructions, would contend that the present petitioner is a history sheeter in History Sheet No.6 of 2005 and following cases are registered against him:

(i) First Information Report in Crime No.235 of 2005 under Section 8(c) r/w 20(1)(b) of Narcotic Drugs and Psychotropic Substances Act

(ii) First Information Report in Crime No.218 of 2007 under Section 8(c) r/w 20(1)(b) of Narcotic Drugs and Psychotropic Substances Act

(iii) First Information Report in Crime No.110 of 2008 under Section 392 of Indian Penal Code

(iv) First Information Report in Crime No.164 of 2019 under Section 8(c) r/w 20(1)(b) Narcotic Drugs and Psychotropic Substances Act



His further contention is that the petitioner is a habitual drug offender.

3.Considering the submissions made by the learned Government Advocate (Criminal Side), the Criminal original Petition is dismissed. However, the respondent Police is directed to follow the guidelines issued in the decision in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610.***

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

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,
O/o.The Superintendent of Police,
Ramanathapuram.
- 2.The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) .No.19 of 2021
20.01.2021

SMV(CO)

KB(09.02.2021) 2P 4C