



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

Crl.O.P.(MD)No.78 of 2021

Kabilan

... Petitioner

Vs.

1.The Commissioner of Police,
O/o.The Commissioner of Police,
Madurai.

2.The Inspector of Police (Law & Order),
Sellur Police Station (Law and Order),
Madurai.

3.Mari @ Mariyayi @ Thilaga

... Respondents

Prayer : Criminal Original Petition 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.Erottuchamy

Government Advocate (Criminal Side)

ORDER

The petitioner has filed the present petition under Section 482 Criminal Procedure Code seeking for a direction to the second respondent not to harass him.

2.Mr.Erottuchamy, learned Government Advocate (Criminal side), who accepts notice on behalf of the first and second respondents, on instructions, would contend that the third respondent lodged a complaint before the second respondent and the same was registered as CSR.No.831 of 2020 and posted for enquiry.

3.Since the main contention of the petitioner is that the second respondent is harassing him under the guise of an enquiry, 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.***



4.With the aforesaid direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

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/ /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 Commissioner of Police,
O/o.The Commissioner of Police,
Madurai.
- 2.The Inspector of Police (Law & Order),
Sellur Police Station (Law and Order),
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.78 of 2021

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DKS (CO)
NR (08/02/2021) 2P : 4C