



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2021

CORAM :

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

Cr1.O.P.(MD)Nos.1552 and 1556 of 2021

Cr1.O.P(MD).No.1552 of 2021

John William Ebenesh Bensam

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Office of the Deputy Superintendent of Police,
Kanyakumari District.

3.The Inspector of Police,
Anti Land Grabbing Special Cell,
Nagercoil, Kanyakumari District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the second and third respondents not to harass the petitioner under the guise of an enquiry, on the basis of the petitioner's representation dated 09.01.2021.

Cr1.O.P(MD).No.1556 of 2021

John William Ebenesh Bensam

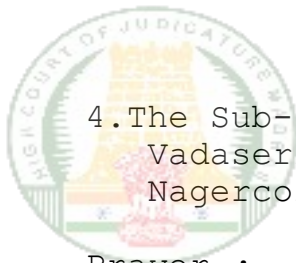
... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Deputy Superintendent of Police (L&O),
Office of the Deputy Superintendent of Police,
Nagercoil Town Division,
Kanyakumari District.

3.The Inspector of Police,
Vadaseri Police Station,
Nagercoil, Kanyakumari District.



4.The Sub-Inspector of Police,
Vadaseri Police Station,
Nagercoil, Kanyakumari District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondents 2 to 4 not to harass the petitioner under the guise of an enquiry on the basis of the petitioner's representation dated 09.01.2021.

In both petitions

For Petitioner : Mr.G.Anto Prince
For Respondents : Mr.R.Erottusamy
Government Advocate (Criminal Side)

COMMON ORDER

These two petitions are filed by the petitioners under Section 482 of the Code of Criminal Procedure seeking for a direction to the respondents not to harass the petitioner under the guise of an enquiry.

2.Mr.R.Erottuchamy, learned Government Advocate (Criminal side), who accepts notice on behalf of the respondents, on instructions, would submit that one Sterlina Grace lodged two complaints against the petitioner with the Inspector of Police, Anti Land Grabbing Special Cell, Nagercoil, Kanyakumari District and the Inspector of Police, Vadaseri Police Station and the same were registered in Current Petition No.P2/39190/5307/2020 and Petition No.763 of 2020 respectively and posted for enquiry.

3.Considering the aforesaid submissions, the Criminal Original Petitions are disposed of with a direction to the respondents to follow the guidelines issued in the decision in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610.***

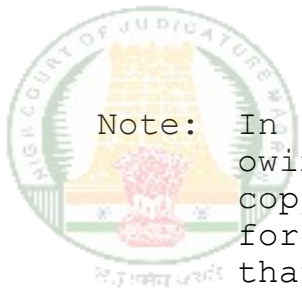
Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



WEB COPY

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,
Nagercoil, Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Office of the Deputy Superintendent of Police,
Kanyakumari District.
- 3.The Inspector of Police,
Anti Land Grabbing Special Cell,
Nagercoil, Kanyakumari District.
- 4.The Deputy Superintendent of Police (L&O),
Office of the Deputy Superintendent of Police,
Nagercoil Town Division,
Kanyakumari District.
- 5.The Inspector of Police,
Vadaseri Police Station,
Nagercoil, Kanyakumari District.
- 6.The Sub-Inspector of Police,
Vadaseri Police Station,
Nagercoil, Kanyakumari District.
- 7.The Additional public Prosecutor,
Madurai Bench of Madras High court,
Madurai.

+2 CC to Mr.G.ANTO PRINCE, Advocate (SR-3617& 3622[F] dated 05/02/2021)

Cr1.O.P. (MD) Nos.1552 and 1556 of 2021

05.02.2021

(DKS)
KV(03.03.2021) 3P 10C