



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE **R.THARANI**

Crl.O.P.(MD)No.2090 of 2021

V.Ramesh Kumar ... Petitioner/Accused

Vs.

1. The Superintendent of Police,
Theni, Theni District.
2. The Deputy Superintendent Of Police,
Cumbum, Theni District. ... 1 & 2 Respondents/NIL
3. The State of Tamil Nadu Rep.by
The Inspector of Police,
Royappanpatti Police Station,
Theni District
Cr No. 1000/2020. ... 3rd Respondent/Cimplainant
- 4.A. Kumar ... 4th Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the second Respondent not to harass the petitioner in the guise of enquiry on the basis of the complaint given by the above named fourth respondent, based on the petitioner's representation, dated 04.02.2021.

For Petitioner : Mr. R.Tamilvanan

For Respondents 1 to 3 : Mr.R.Erottuchamy
Government Advocate

ORDER

The petitioner has filed the present petition under Section 482 Cr.P.C praying to direct the second respondent not to harass the petitioner in the guise of enquiry.

2.The learned counsel for the petitioner would submit that the second respondent police is harassing the petitioner in the name of enquiry.



3.Mr.Erottusamy, learned Government Advocate, who accepts notice on behalf of the respondents 1 to 3, on instructions, would contend that the fourth respondent lodged a complaint against the petitioner and the same was registered as Crime No.1000 of 2020 and enquiry is still pending.

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4. Recording the aforesaid submission, the petitioner is directed to co-operate with the enquiry and the second respondent is directed not to harass the petitioner physically and unnecessarily and also the second respondent 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.

5.With the aforesaid direction, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
Theni, Theni District.
2. The Deputy Superintendent Of Police,
Cumbum, Theni District.
3. The Inspector of Police,
Royappanpatti Police Station, Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD)No.2090 of 2021
11.02.2021

Ls

AE (01/03/2021) 2P / 5C