



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2021

CORAM :

WEB COPY

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.2463 of 2021

P.M.Thangavel

... Petitioner

Vs.

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

2.The Assistant Commissioner of Police
Law and Order,
Vilakkuthoon Sub division,
Madurai City,
Madurai.

3.The Inspector of Police
South Gate Police Station,
Madurai City.

4.N.D.Umarnath

5.N.D.Saroja

6.N.D.Gopinath

... Respondents

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

For Petitioner : Mr.S.Malaikani
For Respondents 1 to 3 : Mr.R.Erottuchamy,
Government Advocate(Criminal Side)
For Respondents 4 to 6 : Mr.J.S.Murali

ORDER

The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, praying to direct the second respondent not to harass the petitioner.

2.Heard, Mr.S.Malaikani, learned counsel for the petitioner, Mr.R.Erottuchamy, learned Government Advocate (Criminal side) for the respondents 1 to 3 and Mr.J.S.Murali, learned counsel appearing for the respondents 4 to 6.



3.Mr.R.Erottuchamy, learned Government Advocate (Criminal side), on instructions, would submit that the fourth respondent lodged a complaint against the petitioner and the same is registered in Current Petition No.232/PG/Camp/DCP/L&O/MC/2021 and is pending for enquiry.

4.Recording the said submissions made by the learned Government Advocate (Criminal side), the respondents 1 to 3/ police are 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 above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rm

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 City.
- 2.The Assistant Commissioner of Police
Law and Order,
Vilakkuthoon Sub division,
Madurai City,
Madurai.
- 3.The Inspector of Police
South Gate Police Station,
Madurai City.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.J.S.MURALI, Advocate (SR-5856[F] dated 18/02/2021)

Crl.O.P. (MD)No.2463 of 2021

17.02.2021

VB (12.03.2021) 3P 6C