



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2021

CORAM :

WEB COPY

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

Crl.O.P.(MD)No.2744 of 2021

P.Ganeshkumar ... Petitioner
Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai.

2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
K.K.Nagar, Madurai-20.

3.The Inspector of Police,
Anna Nagar Police Station,
K.K.Nagar, Madurai-20.

4.N.Balasubramaniyan ... Respondents

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

For Petitioner : Mr.N.Thuja

For R1 to R3 : Mr.R.Erottusamy
Government Advocate
(Criminal Side)

ORDER

The present petition is filed by the petitioner seeking for a direction to the respondents not to harass the petitioner under the guise of an enquiry.

2.Mr.R.Erottusamy, learned Government Advocate (Criminal side), who accepts notice on behalf of the respondents 1 to 3, on instructions, would contend that no complaint is lodged against the present petitioner and therefore, there is no question of harassing the petitioner by the third respondent.

3.The contention of Mr.N.Thuja, learned counsel appearing for the petitioner is that the fourth respondent has lodged a complaint



with the third respondent and the third respondent without registering the case, has been harassing the present petitioner.

4.Considering the submissions made by the learned counsel appearing for the petitioner, the third respondent is directed to follow the guidelines issued in the decisions in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** and ***Lalita Kumari Vs. Government of Uttar Pradesh and others [2013 (6) CTC 353]***, if any complaint is lodged against the petitioner.

5.With the above observation, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

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,
Office of the Commissioner of Police,
Madurai City, Madurai.
- 2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
K.K.Nagar, Madurai-20.
- 3.The Inspector of Police,
Anna Nagar Police Station, K.K.Nagar, Madurai-20.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.NEELAMEGAM, Advocate (SR-6653[F] dated 23/02/2021)

Crl.O.P. (MD)No.2744 of 2021
22.02.2021

ES(CO)

TR(10.03.2021) 2P 6C

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