



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **01.03.2021**

CORAM :

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

Crl.O.P.(MD)No.3146 of 2021

Rathinakumar

...Petitioner

/Vs./

1.State represented through
The Superintendent of Police,
O/o. Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur, Sivagangai District.
(Crime No.535 of 2020)

...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.P.Ponraj

For Respondents : Mr.R.Erottuchamy

Government Advocate (Criminal side)

ORDER

This petition is filed seeking for a direction to the second respondent 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 contend that the First Information Report in Crime No.535 of 2020 was registered against the petitioner for the offences punishable under Section 379 of the Indian Penal Code and Section 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957 and the present petitioner is absconding.



3. Recording the said submissions, this Criminal Original Petition is dismissed. However, 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**.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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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. Superintendent of Police,
Sivagangai District.
- 2.The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur, Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.P.PONRAJ, Advocate (SR-8127[F] dated 02/03/2021)

Crl.O.P. (MD) No.3146 of 2021
01.03.2021

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