



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Cr1.O.P. (MD)No.3612 of 2021

Shanmugam

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.

2.The Deputy Superintendent of Police,
Rural Sub Division,
Aravakurichi,
Karur District.

3.The Inspector of Police,
K.Paramathi Police Station,
Karur District.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Respondent No.1 to 2 to instruct the third respondent not to harass the petitioner, by considering the petitioner representation dated 13.02.2021.

For Petitioner	: Mr.R.Alagumani
For Respondents	: Mr.R.Srinivasan Government Advocate (Crl.side)

O R D E R

This petition has been filed seeking a direction to the respondents 1 to 2 to instruct the third respondent not to harass the petitioner, by considering the petitioner representation dated 13.02.2021.

2.According to the learned counsel for the petitioner, the petitioner is an aged senior man and he was continuously harassed by the third respondent at the instance of the third party, who is having adjacent land and the civil dispute is pending between them. Hence, the petitioner made a representation dated 13.02.2021 to the respondents and the same is pending.



3. According to the learned Government Advocate (crl.side), one Jothi has given a complaint against the petitioner, which was registered in Crime No.202 of 2019 for the offence under Sections 294(b), 324, 506(ii) and Section 4 of Prohibition of Women Harassment Act and the investigation is underway. In the meantime, another complaint was also given by the very same complainant, which was also registered in Crime No.354 of 2020 for the very same offence. It is the further submission of the learned Government Advocate (crl.side) that both the parties are making complaint against each other on many occasions. Since more than one complaint was received against the petitioner, he must co-operate with the Investigating Officer for enquiry.

4. According to the learned counsel for the petitioner, the petitioner is ready to co-operate for enquiry. But at the same time, no coercive steps must be taken against him.

5. Such a direction cannot be given at this stage. However, the petitioner is directed to co-operate with the Investigating Officer and workout his remedy as per law. If there is any proposed action to be taken by the respondents, they may follow the directions issued in the case of **D.K.Basu vs. State of West Bengal**, reported in **AIR (1997) SC 610**. Accordingly, this criminal original petition is closed.

Sd/-

Assistant Registrar(W)

// 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,
Office of the Superintendent of Police,
Karur District.

2. The Deputy Superintendent of Police,
Rural Sub Division,
Aravakurichi,

<https://hcservices.courts.gov.in/hcservices>



3.The Inspector of Police,
K.Paramathi Police Station,
Karur District.

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

Crl.O.P.[MD]No.3612 of 2021
21.04.2021

AS(26.05.2021) 3P 5C