



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2021

CORAM :

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

Crl.O.P.(MD)No.3618 of 2021

Siva Kumar

...Petitioner

/Vs./

1.The State of Tamil Nadu,
Represented by the Superintendent of Police,
Kanyakumari District at Nagercoil.

2.The Sub Inspector of Police,
Karungal Police Station,
Kanyakumari District.

...Respondents

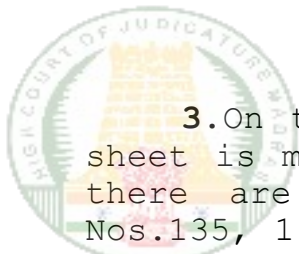
Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents not to harass the petitioner and his family anymore except proceeding in a legal way.

For Petitioner : Mr.M.P.Hariprasad
For Respondents : Mr.R.Erottuchamy
Government Advocate

ORDER

The petitioner has filed this petition to direct the respondents not to harass the petitioner and his family members.

2.On the side of the petitioner, it is stated that the petitioner is having two children and is residing in the above said address with his family. He is running a furniture shop. Now, he is not in a position to run the shop in a peaceful manner, due to the demand of money by the rowdy elements and goondas in the locality. With the help of the respondents, the rowdy elements lodged two complaints against the petitioner. One such petition was taken on file in C.C.No.80 of 2017 by the learned Judicial Magistrate, Eraniel. The petitioner also lodged a complaint against the above said persons in Crime No.506 of 2019 dated 15.10.2019 and another complaint in Crime No.272 of 2020 dated 04.07.2020. Though the petitioner is leading a peaceful life, the rowdy elements are threatening the petitioner and trying to lodge false cases against the petitioner and hence, the petitioner prayed for a direction to the respondents not to harass the petitioner.



3.On the side of the respondents, it is stated that a history sheet is maintained against the petitioner (HS No.125 of 2017) and there are four cases pending against the petitioner in Crime Nos.135, 194, 218 of 2017 and 348 of 2020 on the file of the second respondent and the proceedings filed under Section 110 of Cr.P.C., was also initiated against the petitioner before the Revenue Divisional Officer and hence, the respondents prayed this petition to be dismissed.

4.It is seen that the proceedings filed under Section 110 Cr.P.C., before the Revenue Divisional Officer is pending against the petitioner and hence, the petitioner is directed to co-operate with the enquiry in the proceedings filed under Section 110 Cr.P.C., and the respondents are hereby directed not to physically harass the petitioner, at the time of enquiry.

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

Sd/-

Assistant Registrar(CS-II)

// 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,
Kanyakumari District at Nagercoil.
- 2.The Sub Inspector of Police,
Karungal Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.3618 of 2021

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sgs (CO)

TR(18.03.2021) 2P 4C

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