



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2021

CORAM :

WEB COPY

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.5007 of 2021

Syed Mohammed Pugari

... Petitioner

Vs.

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

2. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

... 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 enquiry by considering the petitioner's representation, dated 11.03.2021.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.R.Anandharaj

Additional Public Prosecutor

ORDER

The petitioner is running a meat shop in the address given in the petition. Right from the childhood, he is involved in the Islamic association, discourse, meetings, awareness programs etc., to abolish anti-women violence and anti-child issues etc. He is also involved in Islamic Welfare activities. The second respondent and the Intelligence Police warned the petitioner and threatened him over his involvement. So, a false case was registered against him in Crime No.35 of 2021. He was enlarged on bail on 09.03.2021. He was illegally taken to the police station and he was forced to sign in the bond papers for registering a case under Section 110 of Cr.P.C. So, on that basis, he is frequently summoned and the police is continuously harassing him. So, he sent a representation on 11.03.2021 to take action against the second respondent herein. But there was no action. Hence, the petitioner filed the present petition seeking a direction to the second respondent not to harass the petitioner under the guise of enquiry by considering the petitioner's representation, dated 11.03.2021.



2. Heard the learned counsel on either side.

3. According to the learned Additional Public Prosecutor, an order has been passed by the respondents on 06.03.2021 directing the petitioner to execute a bond under Section 110 of Cr.P.C.

4. If at all, the petitioner can only challenge the proceedings as per law. So, the question of harassment does not arise in the present circumstances. Hence, nothing survives for further adjudication in this case.

5. Recording the submission made by the learned Additional Public Prosecutor, the Criminal Original Petition is dismissed, by giving liberty to the petitioner to challenge the Section 110 of Cr.P.C. proceedings if so desired.

Sd/-

ASSISTANT REGISTRAR (AD-II)

/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 Commissioner of Police,
Office of the Commissioner of Police,
Tirunelveli City.
2. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SJI (PA), KUN (CO)
SMN : 12/05/2021 : 2P/4C.

Cr1.O.P.(MD)No.5007 of 2021
07.04.2021