



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2021

CORAM:

THE HONOURABLE **MR.JUSTICE A.A.NAKKIRAN**

CrI.O.P. (MD)No.6567 of 2021

P.MarimuthuRaja

... 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,
Pudur,
Madurai District.

3.The Inspector of Police,
Office of the Inspector of Police,
Mattuthavani Police Station,
Madurai District.

4.Pandiyarajan

5.Murugadas

6.Balakrishnan

7.Ramesh

... Respondents

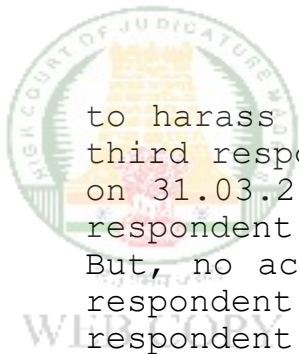
PRAYER : Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the third respondent not to harass the petitioner in the name of enquiry by considering the petitioner's representation dated 28.04.2021 in accordance with law.

For Petitioner : Mr.R.Rajaselvan
For R1 to R3 : Mr.M.Muthumanikkam,
Government Advocate(CrI.side)

ORDER

This petition has been filed to direct the third respondent not to harass the petitioner in the name of enquiry by considering the petitioner's representation dated 28.04.2021 in accordance with law.

2.The learned counsel appearing for the petitioner submitted that there was a civil dispute between the petitioner and the respondent Nos.4 to 7. Therefore, the 4th respondent has lodged a false complaint against the petitioner before the third respondent



to harass the petitioner. On the basis of the false complaint, the third respondent has taken action against the petitioner. Therefore, on 31.03.2021, the petitioner submitted a representation before the respondent Nos.1 to 3 to take action against the fourth respondent. But, no action was initiated. Thereafter, on 23.04.2021, the fourth respondent illegally sold the disputed property to the seventh respondent and harassed the petitioner not to construct the house on his land, given false complaint before the third respondent with an intention to harass the petitioner. Therefore, on 28.04.2021, the petitioner sent a detailed representation to the respondent Nos.1 to 3 not to harass him in the name of enquiry and give police protection. But, so far, no action has been taken in the representation submitted by the petitioner. Hence, the petitioner is before this Court.

3.Heard the learned counsel appearing on either side.

4.Whatever might be the circumstances, the second respondent police is directed to consider the representation of the petitioners dated 04.03.2021 by following the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610.***

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

Sd/-

Assistant Registrar (ADII)

// 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,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Pudur,
Madurai District.

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



3.The Inspector of Police,
Office of the Inspector of Police,
Mattuthavani Police Station,
Madurai District.

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

+1 CC to M/s.R.RAJASELVAN, Advocate (SR-19089[F] dated 09/06/2021)

Crl.O.P. (MD)No.6567 of 2021
07.06.2021

KB(17.06.2021) 3P 6C