



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12/07/2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.9165 of 2021

Velkumar

... Petitioner

Vs.

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

2.The Inspector of Police,
Tiruchendur Taluk Police Station,
Tiruchendur,
Thoothukudi District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent for not to harass the petitioner under the guise of enquiry based on the petitioner's representation dated 07.07.2021.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

This petition is filed seeking a direction to the second respondent not to harass the petitioner under the guise of enquiry based on the petitioner's representation dated 07.07.2021.

2. The case of the petitioner is that totally two false cases have been registered against the petitioner in Crime Nos.227 of 2018 for the offences under Sections 294(b), 323, 506(ii) IPC on 19.08.20218 and in Crime Nos.228 of 2018 for the offences under Sections 294(b), 323, 506(ii) IPC on 19.08.20218.. Similarly a case in Crime No.295 of 2018 for the offences under Sections 294(b) and 506(ii) IPC and Section 4 of Tamilnadu Prohibition of Women Harassment Act has been registered against the petitioner and others. He has also filed WP(MD)N.10165 of 2021 seeking a direction to remove his name from the History Sheet. After passing the order, the second respondent is insisting upon the petitioner to execute the bond and also insisting production of Adhaar Card etc.

3.The learned Additional Public Prosecutor submitted that since the petitioner has involved in two previous cases, proceedings under Section 110 Cr.P.C has been initiated and summon has also been issued stating that the petitioner has to appear before the Tahsildar, Tiruchendur on 08.07.2021 and before receiving the summon, the petitioner has filed the present petition before this Court.



4. Heard both sides.

5. Since the proceedings under Section 110 Cr.P.C has been initiated against petitioner, he has to face the same as per law and the question of harassment does not arise in this case. The petitioner is at liberty to work out his remedy appropriately before the appropriate forum.

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

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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,
Thoothukudi District.

2.The Inspector of Police,
Tiruchendur Taluk Police Station,
Tiruchendur,
Thoothukudi District.

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

Crl.O.P. (MD)No.9165 of 2021
12.07.2021

MGJ(19.07.2021) 2P 4C