



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.10866 of 2021

Murugesan

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi District,
Tenkasi

2.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to harass the petitioner under the guise of enquiry on the petitioner's representation dated 26.07.2021.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.R.M.Anbunidhi

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 26.07.2021.

2.The learned counsel for the petitioner submits that he is a Coolie worker and on the previous occasion, he was charged for the offence under Tamilnadu Prohibition Act and later no case has been registered or pending against the petitioner. However, the second respondent is trying to register the case by alleging that the petitioner is selling liquors in the black market at higher cost. Since the petitioner is not involved in any other similar case, he has sent a representation dated 22.07.2021 seeking not to harass the petitioner. Since there is no action, this petition came to be filed.

3.The learned Additional Public Prosecutor would submit that the petitioner is involved in 3 previous cases in Crime Nos.20 and 170 of 2019 and 260 of 2021 for the similar offence of Section 4(1) (A) of Tamilnadu Prohibition Act and only to watch out the petitioner's movement, he is called and except that, there is no harassment on the part of the second respondent. Since the petitioner is involved in 3 previous case and considering the



antecedents, it appears that the respondents are watching and surveillance are done to watch out the movements of the petitioner. It cannot be considered to be harassment. If the petitioner is aggrieved over registration of cases, he has to redress his grievance through proper proceedings.

WEB COPY

4. Recording the submission of the learned Additional Public Prosecutor, this petition is disposed of.

Sd/-

Assistant Registrar (CS 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 Superintendent of Police,
Tenkasi District,
Tenkasi
- 2.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.10886 of 2021
09.08.2021

RS (16.08.2021) 2P 4C