



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**
Crl.O.P. (MD) No.10684 of 2021

WEB COPY

R.Saransarvesh

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Tallakulam (Crime),
Madurai.

3.The Inspector of Police,
Tallakulam Police Station (Crime),
Madurai.

4.R.Soban Geeth

[R4 has been *suo motu* impleaded
vide order dated 05.08.2021]

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 and their subordinates not to harass the petitioner under the guise of enquiry and to follow the due process of law.

For Petitioner : Mr.A.Prabhu Raj

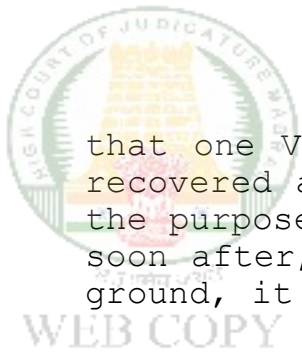
For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor(Crl.Side)

For R4 : Mr.J.Mohamed Ashik Jaman

ORDER

This petition is filed seeking a direction to the respondents 1 to 3 not to harass the petitioner under the guise of enquiry.

2.The learned Additional Public Prosecutor (Crl.side) appearing for the respondents 1 to 3 would submit that based upon the complaint given by this petitioner, enquiry was undertaken in C.P.No.562 of 2021 and during the course of enquiry, it was found



that one Volkswagen Polo Car bearing Reg.No.TN 58 BV 0968 has been recovered and the same was also handed over to this petitioner. For the purpose of recovering the another car, steps are being taken and soon after, the same will be handed over to the respondent. On that ground, it came to be closed on 23.08.2021.

3.The learned counsel for the 3rd respondent would submit that since one car has not been recovered and handed over to the petitioner, the matter may be kept pending till the car is recovered.

4.This petition has been filed by this petitioner only not to harass him in the guise of enquiry. Since enquiry has been completed against this petitioner, the question of harassment may not arise. This petition cannot be kept pending for redressing the grievance of the 3rd respondent herein, if at all the 3rd respondent can workout his remedy appropriately. However, there shall be a direction to the 2nd respondent to keep the complaint pending, which has been given against this petitioner, till the other car, which is involved in the complaint, is recovered. The petitioner is directed to cooperate with the 2nd respondent to complete the enquiry.

5.With the aforesaid directions, this petition is disposed of.

Sd/-

Assistant Registrar (CRL)

// 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 Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Tallakulam (Crime),
Madurai.



3.The Inspector of Police,
Tallakulam Police Station (Crime),
Madurai.

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

+1 CC to M/s.MOHAMED ASHIK JAMAN, Advocate (SR-28110[F] dated
03/09/2021)

+1 CC to M/s.A.PRABHU RAJ, Advocate (SR-28246[F] dated 06/09/2021)

Cr1.O.P. (MD) No.10684 of 2021
02.09.2021

_RD(15.09.2021) 3P 7C