



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05/08/2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.10641 of 2021

WEB COPY

N.Siva

... Petitioner

Vs.

1.Deputy Inspector of Police(DIG),
No.4 St.Thomas Road,
Maharaja Nagar,
Tirunelveli 627 011.

2.The Superintendent of Police,
O/o.Superintendent of Police,
Tenkasi & District.

3. The Inspector of Police,
Sendamaram Police Station,
Tenkasi District.

4.S.Sathya @ Harini

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 not to harass the petitioner and his family members under the guise of enquiry.

For Petitioner : Mr.K.Neelamegam

For R-1 to R3 : Mr.R.M.Anbunidhi

Additional Public Prosecutor

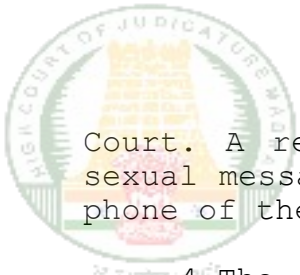
O R D E R

This petition has been filed to direct the respondents 1 to 3 not to harass the petitioner and his family members under the guise of enquiry.

2.The case of the petitioner is that he is working as Marine Engineerbin Star Ship Management Limited and his father-in-law Mahalingam is doing Fish Export Business at Karaikudi and he had business relationship with one Kalimuthu. Because of the lockdown the petitioner's father-in-law is facing financial difficulties and dispute arose between the petitioner and the said Kalimuthu. For the purpose of recovering money, the fourth respondent is used by the said Kalimuth and at her instigation, a false complaint has been filed. The fourth respondent is the daughter of the said Kalimuthu and summons have been issued on 21.07.2021 by the third respondent herein. The petitioner is residing in Nagapattinam. It may not be possible for him to travel 500 km to appear before the third respondent. On that basis this petition is filed.

3.The Additional Public Prosecutor would submit that based upon the complaint given by the third respondent herein enquiry is undertaken in CSR No.580 of 2021 and a copy of the complaint has been forwarded to this

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Court. A reading of the complaint shows that some sort of obscene and sexual messages alleged to have been sent by the petitioner to the mobile phone of the third respondent.

4.The learned counsel for the petitioner would submit that he was living in foreign country and absolutely there is no possibility of sending such obscene messages.

5.Whatever it may be, the complaint has been given making allegations. It is the duty of the petitioner to co-operate with the Enquiry Officer and the question of distance and travel discomfort may not be taken as a ground. The petitioner is directed to co-operate with the Enquiry Officer and there is no question of harassment.

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

Sd/-

Assistant Registrar (CRL)

// 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.Deputy Inspector of Police(DIG),
No.4 St.Thomas Road,
Maharaja Nagar,
Tirunelveli 627 011.
- 2.The Superintendent of Police,
O/o.Superintendent of Police,
Tenkasi & District.
3. The Inspector of Police,
Sendamaram Police Station,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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PS

BS (13.08.2021) 2P-5C

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