



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.11024 of 2021

Palanivel

... Petitioner

Vs.

1.The Superintendent of Police,
Office to the Superintendent of Police,
Dindigul District.

2.The Deputy Superintendent of Police,
Office to the Deputy Superintendent of Police,
Palani,
Dindigul District.

3.The Inspector of Police,
Palani Adivaram Police Station,
Palani,
Dindigul District.

4.Kalimuthu

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the third respondent for not to harass the petitioner under the guise of enquiry based on the petitioner's representation dated 02.08.2021.

For Petitioner : Mr.D.S.Haroon Rasheed

For R-1 - R3 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to direct the third respondent not to harass the petitioner under the guise of enquiry based on the petitioner's representation dated 02.08.2021.

2. When the matter was taken up for hearing on 10.08.2021, the Additional Public Prosecutor submitted that promising to arrange job in abroad, the petitioner is alleged to have cheated, based upon that, enquiry has been undertaken. Since serious allegations have been made against the petitioner, the petitioner has to appear before the enquiry officer and co-operate with him to complete the



3. When the matter is taken up for hearing today, the learned counsel for the petitioner would submit based upon the direction given by this Court, the petitioner has appeared before the enquiry officer on 23.08.2021 and at that time, some of the hooligans along with the third respondent threatened him in the police station itself. The petitioner is ready to hand over all the documents which were available with him to show that through him a sum of Rs.4.35 lakhs was given to one Muthuramakrishnanan and he returned back. Apprehending threat against him, he seeks police protection when he appears before the enquiry officer.

4. If any threat has been made by any hooligans in the police station itself, the petitioner can very well give a complaint on the spot itself. Without giving any such complaint, the allegation that other persons threatened him in the presence of the enquiry officer cannot be considered at this stage. However, since the enquiry is pending, the petitioner has to appear before the enquiry officer and co-operate with him to complete the enquiry. Since the petitioner experienced threat, the third respondent shall conduct enquiry with the petitioner as well as the defacto complainant alone without the intervention of any other person or third parties. If any trouble arises during the enquiry, the petitioner is at liberty to work out his remedy through appropriate proceedings.

5. With the above said direction and liberty, this petition is disposed of.

Sd/-

Assistant Registrar (A.D.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 to the Superintendent of Police,
Dindigul District.



2.The Deputy Superintendent of Police,
Office to the Deputy Superintendent of Police,
Palani, Dindigul District.

3.The Inspector of Police,
Palani Adivaram Police Station,
Palani,
Dindigul District.

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

CrI.O.P. (MD) No.11024 of 2021
16.09.2021

_RD(29.09.2021) 3P 5C