



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18/08/2021

CORAM:

THE HONOURABLE MR JUSTICE G.ILANGO VAN

W.P. (MD) No.14737 of 2021

Balakrishnan

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The State represented by the
Inspector of Police,
Kalakkad Police Station,
Tirunelveli District
(Crime No.292 of 2021)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first respondent police to consider the petitioner's representation dated 15.07.2021 and also forbearing the second respondent police from interfering with the business of the petitioner's two wheeler workshop running at Kalkkad to Cheranmahadevi Road, Kalakkad, Tirunelveli District and also restrain the second respondent police from harassing and threatening the petitioner.

For Petitioner : Mr.V.Sukumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

This writ petitioner is filed seeking a direction to the first respondent not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner would submit that the petitioner is the accused in Crime No.292 of 2021 which was registered by the second respondent for the offences punishable under Sections 294(b), 323, 506(ii) IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act. He would submit that the petitioner moved anticipatory bail application before this Court in CrI.O.P(MD)No.8771 of 2021 and it was allowed and he surrendered before the concerned court and got himself released on bail. Later he filed a modification petition also. At that time, the second respondent police came to his shop, threatened and locked his shop on 09.07.2021.



3. But however, the learned Additional Public Prosecutor would submit no such occurrence took place and no harassment is made to the petitioner also.

4. However there is specific allegation against the second respondent regarding locking of his shop. This disputed fact cannot be gone into in this writ petition. The petitioner is directed to approach the first respondent with regard to the specific allegation. Except this allegation, there is no harassment on the side of the second respondent police.

5. Granting the above said liberty, this petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

To,

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District

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

+1 CC to M/s.V.SUKUMAR, Advocate (SR-26720[F] dated 19/08/2021)

W.P. (MD) No.14737 of 2021

18.08.2021

RK (01.09.2021) 2P 5C