



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CrI.O.P. (MD) No.12698 of 2021

WEB COPY

M.Jayamani

... Petitioner

Vs.

1.The Superintendent of Police,
CCIW-CID,
Omandurar Maligai,
Chennai.

2.The Deputy Superintendent of Police,
CCIW-CID,
Madurai.

3.The Inspector of Police,
CCIW-CID,
Sivagangai,
Sivagangai District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 3rd respondent not to harass the petitioner and his family members under the guise of enquiry based on the representation dated 24.08.2021.

For Petitioner	: Mr.PR.Boomee Rajan
For Respondents	: Mr.R.M.Anbunithi Additional Public Prosecutor (CrI.Side)

ORDER

This petition is filed seeking a direction to the 3rd respondent not to harass the petitioner and his family members under the guise of enquiry, without any proper basis and complaints, on the basis of the representation dated 24.08.2021.

2.The case of the petitioner is that he was a former Secretary of Tamil Nadu State Transport Corporation Employees Co-operative Thrift and Credit Society, Karaikudi at Sivagangai District. Now he has been out of the job. Two cases were pending against this petitioner and in one case he was released under the Probation of



Offenders Act, 1958. Now, only one case is pending in C.C.NO.87 of 2018. So, pending the aforesaid criminal case, the 3rd respondent herein, without any proper basis or reason, is harassing the petitioner by entering into the house site even during the midnight. Hence, he made a representation dated 24.08.2021. But that was not considered. Hence, this petition.

3.The learned Additional Public Prosecutor (CrI.side) appearing for the respondents would submit that the petitioner was already involved in two previous cases and as mentioned in the petition, in one case, he was released under the Probation of Offenders Act, 1958 and one other case is pending against him.

4.In some other matter, enquiry was undertaken and the enquiry report was forwarded to the Registrar of Co-operative Societies for further action. It appears that as a precautionary measure, the petitioner has already approached this Court for anticipatory bail in CrI.O.P.(MD) No.10663 of 2021 and it came to be dismissed stating that no case is pending against this petitioner.

5.It appears that as a precautionary measure, this petition has also been filed. Since there was no such harassment as mentioned in the petition, this petition does not warrant any consideration. So, the question of harassment does not arise at this stage.

6.With the above observation, this petition is disposed of with liberty to the petitioner to workout his remedy appropriately, if any complaint is registered against him in future.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mm

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,
CCIW-CID,
Omandurar Maligai,
Chennai.

2.The Deputy Superintendent of Police,
CCIW-CID,
Madurai.

3.The Inspector of Police,
CCIW-CID,
Sivagangai,
Sivagangai District.

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

+1 CC to M/s.PR.BOOMEERAJAN, Advocate (SR-28086[F] dated
03/09/2021)

Crl.O.P. (MD)No.12698 of 2021
02.09.2021

NSN (CO)
SB(16.09.2021) 3P 6C