



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **23.09.2021**

WEB COPY

CORAM:
THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Cr1.O.P. (MD) No.14203 of 2021

R.Rajagunasekar

...Petitioner

Vs.

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Deputy Superintendent of Police,
Thiruchuli Circle,
Aruppukottai,
Virudhunagar District.
3. Inspector of Police,
M.Reddyapatti Police Station,
Viridhunagar District.

4. Sundarammal

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the 3rd Respondent not to harass the petitioner and his family under the guise of enquiry.

For Petitioner : Mr.A.Jeyaram

For R1 to R3 : Mr.K.Sanjai Gandhi

Government Advocate (Crl.Side)

ORDER

This petition is filed seeking direction to the 3rd respondent not to harass the petitioner under the guise of enquiry, on the basis of the representation dated 19.09.2021.

2.The learned counsel appearing for the petitioner would submit that one Murugan is involved in a false case. The petitioner herein is only his neighbor and is noway involved in the aforesaid crime. However, the 3rd respondent is harassing the petitioner under the guise of enquiry.

3.The learned Government Advocate (Crl.side) appearing for the respondents 1 to 3 would submit that based upon the complaint given by the 4th respondent herein, a case in Crime No.82 of 2021 has been

<https://hsevisitors.in/> for the offences punishable under Sections 454, 457, 380



and 511 of IPC and the name of the accused persons are not known. Only for the purpose of investigation or interrogation, the petitioner has been called. So, there is no harassment at the hands of the 3rd respondent.

4. Since the criminal case has been registered, it is the duty of the 3rd respondent to make investigation and to enquire the suspected persons as per law. So, that will not amount to harassment. Since the petitioner herein has to cooperate with the 3rd respondent for completing the investigation or enquiry as the case may be, if any trouble arises in future, he is at liberty to work out his remedy before the appropriate forum through appropriate proceedings.

5. A request was made that the respondents 1 to 3 may be directed to follow the guidelines in **D.K.Basu Vs. State of West Bengal** reported in **AIR 1997 SC 610**.

6. No doubt, the respondents 1 to 3 have to follow the mandate of Hon'ble Supreme Court. But no specific direction is required since it is binding upon the 3rd respondent herein.

7. With the aforesaid liberty, this petition stands disposed of.
Sd/-

Assistant Registrar (Records)

// 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 Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Deputy Superintendent of Police,
Thiruchuli Circle,
Aruppukottai,
Virudhunagar District.



3. The Inspector of Police,
M.Reddyapatti Police Station,
Viridhunagar District.

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

+1 CC to M/s.A.JEYARAM, Advocate (SR-30111[F] dated 23/09/2021)

Crl.O.P. (MD) No.14203 of 2021
23.09.2021

_RD(12.10.2021) 3P 6C