



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**
CrI.O.P. (MD) No.14719 of 2021

Murugesh

... Petitioner

Vs.

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent not to harass the petitioner without following the due process of law.

For Petitioner : Mr.K.Sathish Kumar

For Respondents : Mr.R.M.S.Sethuraman
Additional Public Prosecutor

ORDER

This petition has been filed to direct the second respondent, not to harass the petitioner under the guise of enquiry.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Criminal Side) for the respondents.

3. The case of the petitioner is that he was the resident of Rajapalayam and later residing in Madurai and while he was residing at Rajapalayam, he has been falsely implicated in S.C.No.12 of 2012 and after trial, he was acquitted by the Mahila Court, Srivilliputhur, on 03.02.2021. After that, petitioner has not been involved in any offence and no case has been registered against him. But, however, initiating the proceedings under Section 110 Cr.P.C., the second respondent is harassing the petitioner. Hence, the petitioner sent a representation to the respondent police on 25.09.2021, but, so far no action has been taken, this petition came to be filed.



4. The learned Additional Public Prosecutor would submit that the petitioner is a history sheeted in H.S.No.568/2011 on the file of Rajapalayam Police Station. Since he created law and problem, proceedings under Section 110 Cr.P.C., was initiated.

5. The learned counsel for the petitioner would submit that since the petitioner is residing permanently in Madurai, the question of creating law and problem in Rajapalayam is completely false.

6. Considering the facts and circumstances of the case, the petitioner is at liberty to challenge the proceedings under Section 110 Cr.P.C.. Hence, the question of harassment will not arise.

7. With the above said liberty, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

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 Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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