



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P.(MD)No.15028 of 2021

C.Suresh

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Thiruvadanai Station,
Ramanathapuram District.

3.The Commissioner of Police,
Coimbatore City,
Coimbatore District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents police not to harass the petitioner and his family members in the name of enquiry.

For Petitioner : Mr.V.A.Dhana Aravindh Balaji
for DHANA LAW ASSOCIATES

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

O R D E R

This petition has been filed seeking a direction to the respondents not to harass the petitioner and his family members in the name of enquiry based on the complaint given by the third party, which was registered against the brother of the petitioner in Crime No.1283 of 2020 on 13.09.2020.

2.The learned counsel for the petitioner submits that even though the brother of the petitioner has been arrayed as accused in the above said crime, he separated from the petitioner long back and went away and thereafter, there is no connection between them. Under the guise of making enquiry with regard to the whereabouts of the petitioner's brother, the second respondent harassing the petitioner, secured and brutally attacked and later



admitted in the hospital. In spite of that the harassment still continues.

3.The learned Additional Public Prosecutor submits that since the brother of the petitioner went absconding in the above said crime, only to know about the whereabouts of the above said accused, search has been made and enquiry was conducted with this petitioner. The petitioner is very well aware of the whereabouts of his brother. By suppressing the same he has filed this petition.

4.It is seen that the third respondent has completed the investigation and final report was made ready on 04.12.2020, wherein the brother has shown as absconding accused. Only for the purpose of securing the above said accused search has been made. Since a case of 302 IPC has been registered against the brother of the petitioner, it is the duty of the petitioner to co-operate with the Investigation Officer and inform the whereabouts of his brother. If there is any assault or mis-behaviour by the second and third respondents, he can very well invoke the criminal jurisdiction for appropriate relief. Without doing so, he has come to this Court seeking omnibus prayer, which may not be proper.

5.With the above directions and liberty this criminal original petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
Ramanathapuram District.



2.The Inspector of Police,
Thiruvadanai Station,
Ramanathapuram District.

3.The Commissioner of Police,
Coimbatore City,
Coimbatore District.

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

+1 CC to M/s.DHANA LAW ASSOCIATES, Advocate (SR-31646[F] dated
07/10/2021)

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RK (18/10/2021) 3P 6C