



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

Cr1.O.P. (MD)No.15205 of 2021

Mohamed Afsar

... Petitioner

Vs.

1.The Superintendent of Police,
Kanniyakumari District,
Nagercoil.

2.The Inspector of Police,
Kadayalumoodu Police Station,
Kanniyakumari District.

3.Mr. Brite.
Sub Inspector of Police,
Kadayalumoodu Police Station,
Kanniyakumari District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, not to harass the petitioner and his family members under the guise of enquiry.

For Petitioner : Mr.S.Sivakumar
For R1 to R3 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This petition is filed seeking a direction to respondent police not to harass the petitioner in connection with Crime No.42 of 2021.

2.The learned counsel appearing for the petitioner would submit that a false case has been foisted against this petitioner in the above crime number for the offences punishable under Sections 8 (c) r/w 20(b) (ii) (B) of NDPS Act. Now, he is released on bail as per order of the learned Special Judge, Principal Special Court for EC and NDPS Act Cases in CRLMP No.104 of 2021 on 16.02.2021. After release on bail, the third respondent is harassing the petitioner stating that more cases will be foisted against this petitioner.



3.The learned Additional Public Prosecutor would submit that except making surveillance upon the movement of the petitioner, no harassment is made.

4.If the petitioner is involved in some other cases, the respondent police has to take action as per law. Without making such steps, it is not proper on the part of the respondent to make surveillance and monitor the petitioner, since now he is on bail. In the meantime, if any trouble arise in future, liberty is also granted to the petitioner, to get redressed his grievance through appropriate proceedings.

5.With the above observation and direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Vrn

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,
Kanniyakumari District,
Nagercoil.
- 2.The Inspector of Police,
Kadayalumoodu Police Station,
Kanniyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.SIVA KUMAR, Advocate (SR-31322[F] dated 06/10/2021)

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KS (CO)

KB(01.11.2021) 2P 5C