



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2021

CORAM :

WEB COPY

THE HONOURABLE **Mr. JUSTICE G.ILANGOVA**

Crl.O.P.(MD)No.16082 of 2021

Muthupandi

... Petitioner

Vs.

1.The Superintendent of Police,
Office of Superintendent of Police,
Sivagangai District - 620 561.

2.The Deputy Superintendent of Police,
D.S.P. Office,
Manamadurai - 630 606.

3.The Inspector of Police,
Manamadurai Police Station,
Manamadurai - 630 606.

4.The Inspector of Police,
Sipcot Police Station,
Manamadurai - 630 606.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 3 and 4 not to harass the petitioner and his family members in guise of any enquiry without any complaints or summons or reasons against the petitioner and failed to follow the D.K.Basu Guidelines issued by the Hon'ble Apex Court.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.R.M.S.Sethuraman

Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the respondents 3 and 4 not to harass the petitioner and his family members in guise of any enquiry without any complaints or summons or reasons against the petitioner.

2.The learned counsel for the petitioner submitted that the petitioner is involved in a case, which has been registered for the offences punishable under Sections 468, 471, 473, 120(b) of IPC in Crime No.334 of 2013, which also culminated in C.C.No.86 of 2016. Except that no other case is pending. Under the guise of making



enquiry. Police officials repeatedly harassing the petitioner.

3.The learned Additional Public Prosecutor submitted that the petitioner is involved in 9 previous cases. Hence, history sheet has been opened in H.S.No.447 of 2014. Only for the purpose of monitoring the movement of the petitioner, enquiry has been made. Except the routine surveillance, no harassment is made. But however, the learned counsel for the petitioner submitted that even during the night hours, the respondents are visited the petitioner's house and made harassment. Since history sheet is opened against the petitioner, he has to challenge the same or workout the remedy through proper proceedings. But it may not be proper on the first respondent not to visit them at odd hours.

4.Monitoring as well as surveillance cannot be termed as harassment. If any misconduct is noticed on the side of the Enquiry Officers, remedy is available to the petitioner either to make complaint to the first respondent or before the competent judicial authorities. Except such amount of relief no other relief can be granted in this petition.

5.With the above said liberty this criminal original petition stands disposed of.

Sd/-

Assistant Registrar (CS-I)

// 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,
Office of Superintendent of Police,
Sivagangai District - 620 561.
- 2.The Deputy Superintendent of Police,
D.S.P. Office,
Manamadurai - 630 606.



3.The Inspector of Police,
Manamadurai Police Station,
Manamadurai - 630 606.

4.The Inspector of Police,
Sipcot Police Station,
Manamadurai - 630 606.

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

Crl.O.P. (MD) No.16082 of 2021
22.10.2021

PS (CO)
KB(18.11.2021) 3P 6C