



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD)No.17041 of 2021

WEB COPY

Lessle Diwakar

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police (Crime),
Palayamkottai Crime Police Station,
Tirunelveli City.

3.Saravanakumar

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent police not to harass the petitioner under the guise of enquiry without due process of law.

For Petitioner : Mr.M.Maharaja

For R-1 & R-2 : Mr.RMS.Sethuraman

Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the respondent police not to harass the petitioner under the guise of enquiry without due process of law on the basis of the complaint given by the third respondent.

2. When the matter is taken up for hearing, the learned counsel for the petitioner would submit that the third respondent herein moved Crl.O.P(MD)No.8474 of 2021 before the Judicial Magistrate No.5, Tirunelveli under Section 156(3) Cr.P.C seeking a direction to register the case against the petitioner and others and that petition came to be dismissed on 11.10.2021. According to the learned counsel for the petitioner, after dismissal of the above said petition, suppressing the same, the very same subject complaint has been given by the third respondent, based upon which, he has been called and harassed.

3. The learned Additional Public Prosecutor would submit that the complaint given by the third respondent was entertained by the District Collector, Tirunelveli and was forwarded to the second



respondent, based upon which, enquiry has been conducted. He would further submit that a petition filed under Section 156(3) Cr.P.C for registration of the First Information Report has been dismissed by the learned Judicial Magistrate No.5, Tirunelveli, in Crl.O.P(MD) No.8474 of 2021 and he will advise the second respondent to close the enquiry.

4. Recording the said submission, this petition is disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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 Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 2.The Inspector of Police (Crime),
Palayamkottai Crime Police Station,
Tirunelveli City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Judicial Magistrate No.5, Tirunelveli.

Crl.O.P. (MD)No.17041 of 2021

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_RD/PM (25.11.2021) 2P 5C