



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.17489 of 2021

WEB COPY

A.Mahendran

... Petitioner

Vs

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul District.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondent police not to harass the petitioner and family members.

For Petitioner : Mr.B.Azhagesh
For R1 & R2 : Mr.M.Veeranthiran
Government Advocate

ORDER

Heard the learned counsel on either side.

2.The petitioner while admitting that he did have bad antecedents states that he is now leading a normal life free of any criminal element. However, he is being harassed by the second respondent who is demanding that the petitioner should furnish the security bond. Hence, he has filed the present criminal original petition.

3. The learned Government Advocate submitted that the second respondent has submitted a proposal to the executive magistrate for initiating proceedings under Section 107 of Cr.P.C. As and when the petitioner receives notice under Section 111 of Cr.P.C., from the executive magistrate, it is for the petitioner to respond appropriately. I make it clear that the second respondent will necessarily stick to due process. It is not open to the second respondent herein to demand any security bond from the petitioner. Such an order can be passed only by the executive magistrate and that too after adhering to the statutory procedure.



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4. With this observation and clarification, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (WRITS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Dindigul District.
- 2.The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.B. ALAGESH, Advocate (SR-34518[F] dated 15/11/2021)

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SJ(CO)
SB/PM (19.11.2021) 2P 5C