



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1744 of 2022

R.Srinivasan

... Petitioner

Versus

1. The State,
Represented by
The Superintendent of Police
Nagapattinam District.

2. The Inspector of Police,
District Crime Branch/Anti
Land Grabbing Special Cell,
Nagapattinam District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Respondents not to harass the petitioner under the pretext of enquiry in Crime No.13 of 2021.

For Petitioner : Mr.M.Anbalagan

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction, to direct the Respondents not to harass the petitioner under the pretext of enquiry in Crime No.13 of 2021.

2. The case of the petitioner is that he is not named accused in Crime No.13 of 2021. Since, the petitioner was constantly by the respondent police, he petitioner moved a direction petition before this Court seeking direction to the second respondent not to harass the petitioner. When the matter was taken up, it was represented by the learned Additional Public Prosecutor that on the complaint given by one Abdul Salam, a case in Crime No.13 of 2021 against five accused in which the petitioner's name does not found and there is no case against the petitioner as on that date and recording the same,



the said petition was closed. Thereafter, a notice under Section 41 (A) of Cr.P.C. was issued to the petitioner on 21.12.2021. Since, the petitioner was suffering from Covid, he sought time and sent representation on 08.01.2022 to the first respondent stating that after getting recovered from Covid, he will appear before the respondent police. As the respondents are unnecessarily harassing the petitioner under the guise of enquiry, the present Criminal Original Petition has been filed.

3.. The learned Additional Public Prosecutor appearing for the respondents submitted that already notice under Section 41-A was issued to the petitioner directing him to appear before respondents and vide representation dated 08.01.2022, the petitioner sought for time to appear before them.

4. The learned counsel appearing for the petitioner on instructions submitted that the petitioner is now recovered from Covid and willing to appear before the second respondent police on 15.02.2022 in compliance of Section 41(A) notice along with necessary documents.

5. In view of the same, the petitioner is directed to appear before the second respondent along with necessary documents on 15.02.2022 and thereafter the second respondent police shall conduct enquiry and act as per law.

This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

arr

To

1. The Superintendent of Police
Nagapattinam District.
2. The Inspector of Police,
District Crime Branch/Anti
Land Grabbing Special Cell,
Nagapattinam District
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.M.Vijaya Kumar, Advocate, S.R.No.5035

CRL.O.P.No.1744 of 2022

NRJK(CO)

SB(11/02/2022)