



CrI.O.P.No.24138 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

CrI.O.P.No.24138 of 2022

M.Jailani

... Petitioner

/vs/

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur.

2.The Inspector of Police,
Dharapuram Police Station,
Dharapuram.

3.Selvi

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the second respondent herein not to harass the petitioner on the guise of enquiry except in accordance with law.

For Petitioner

... No appearance

For Respondents

... Mr.E.Raj Thilak,
Addl. Public Prosecutor for R1,R2



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ORDER

This Criminal Original Petition has been filed to direct the second respondent herein not to harass the petitioner on the guise of enquiry except in accordance with law.

2. No representation for the petitioner. Heard the learned Additional Public Prosecutor appearing for the first and second respondents.

3. The learned Additional Public Prosecutor submitted that an FIR has been registered against the petitioner in FIR No.530 of 2022 for the offence under Sections 294(b), 420 and 506(ii) of I.P.C.

4. It is seen from the FIR that the complaint has been given by the third respondent on the allegation of job racketing. The petitioner has stated in his petition that he is being harassed by the respondent police in the guise of enquiry on the complaint given by the third respondent. It is seen that only after completing the preliminary enquiry, the FIR has been registered on the complaint given by the third respondent. Since the petitioner is an accused in the said case, he has to co-operate with the police for the purpose of enquiry. It is upto the petitioner to file a bail



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application, if he is so advised. Since the case has been registered against the petitioner, it is obligatory on the part of the respondent police to call him for enquiry. Hence the relief sought by the petitioner cannot be granted. However, the petitioner is at liberty to file a petition seeking bail as observed supra.

5. With the above observations, this Criminal Original Petition is disposed.

Index: Yes/No
Internet: Yes/No
gsk

07.11.2022

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur.
- 2.The Inspector of Police,
Dharapuram Police Station,
Dharapuram.
- 3.The Public Prosecutor,
High Court, Madras.

R.N.MANJULA,J.

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