



CrI.O.P.(MD) No.12632 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12632 of 2022

S.Maharajan

... Petitioner

Vs

1. The Superintendent of Police,
Thoothukudi District.

2. The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to issue a direction to the second respondent not to harass the petitioner under the guise of doing their duty.

For Petitioner : Mr.R.Anand

For Respondents : Mr.A.Albert James
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed for a direction to the second respondent not to harass the petitioner under the guise of doing their duty.

2. The learned counsel for the petitioner submitted that the petitioner was running a partnership firm in the name and style “KVB Enterprises” along with one Sriman, S/o. Dharmaraj, through which he has been selling scrap products, all types of waste papers etc., Previously when he was running a small bunk shop, the second respondent for the reason best known to him, always used to harass him. Since the petitioner has not heeded to his demand, the second respondent has not only booked a criminal case as if the petitioner was found in possession of banned Kutka items but he has also made a recommendation before the District Collector and thereby the petitioner was detained under Act 14 of 1982, vide order dated 02.09.2020. The detention order has also been quashed. Thereafter, on 02.07.2022, the second respondent has sent his police men to the petitioner's house and harassed the petitioner's family members. Hence, the petitioner has filed the present Criminal Original Petition.



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3. The learned Government Advocate (Criminal Side) appearing for the respondents submitted that the petitioner is having five criminal cases and further a case has been registered against this petitioner in Crime No. 207 of 2022, for the offence under Sections 7(1) and 24(1) of the Tobacco Act along with Section 328 I.P.C on 19.06.2022. The petitioner is the second accused in the aforesaid case.

4. Recording the same, this Criminal Original Petition is closed. Besides, the second respondent is directed to take legal action against the petitioner, without harassing the family members of the petitioner.

13.07.2022

Internet:Yes./No

Index:Yes/no

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To

1. The Superintendent of Police,
Thoothukudi District.

2. The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.

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

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V.SIVAGNANAM, J.

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ORDER IN
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