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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.01.2022
CORAM :
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.20804 of 2021

S.Thirugnana Sundaram ... Petitioner

Vs.

The State rep. by
1.The Director General of Police,
Tamilnadu Police Department,
Mylapore,
Chennai – 600 004.

2.The Inspector General (South Zone),
South Zone I.G. Office,
New Natham Road,
Madurai – 625 007.

3.The Commissioner of Police (Madurai),
The Police Commissioner office,
Alagarkoil Road,
Madurai – 625 002.

4.The Superintendant of Police (Kanchipuram),
District S.P. Office,
Thaiyar Kullam,
Kanchipuram – 631 501.

5.The Superintendant of Police (Thoothukudi),
District S.P. Office,
PSP Nagar,
Korampallam,
Thoothukudi – 628 101.

6.The Inspector of Police,
B3, Kanchi Taluk Police Station,
Mahalinga Nagar,
Kanchipuram – 631 501.

7.The Inspector of Police,
SIPCOT Police Station,
Madathur,
Thoothukudi – 628 002.

8.The Inspector of Police,
Thideer Nagar Police Station,
Madurai District. ... Respondents

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Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents not to harass the petitioner by confiscating gold in the name of recovery without any legal basis.

For Petitioner : Mr.G.Rajasekar

For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side).

O R D E R

No relief is sought against the respondents 1 to 5 and 8. Therefore, this criminal original petition is dismissed as far as they are concerned.

2.The petitioner alleges that he is being harassed by the respondents 6 and 7.

3.The learned Government Advocate (Crl. Side) states that one Senthilkumar employed by the petitioner had received stolen jewellery. It is further noted that the said Senthilkumar is in regular touch with the petitioner herein. Since the said Senthilkumar is absconding, the petitioner is sought to be enquired.

4.I wanted to know if the petitioner is an accused in any case. The clear answer is that the petitioner is not an accused in any case. If that be so, the respondents 6 and 7 herein can deal with the petitioner only in the manner known to law. In other words, if the said respondents want to enquire the petitioner, they have to summon him in writing. No extra legal methods will be employed. This direction is given because the petitioner's counsel stated that earlier the petitioner was pressurized by the sixth respondent to part with 44 sovereigns of gold. While I do not give any finding on this allegation, since such a statement has been made by the petitioner's counsel, the respondents 6 and 7 are restrained from adopting any extra legal methods against the petitioner.

5.The criminal original petition is disposed of on these terms.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

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 Director General of Police,
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Madurai District.

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

+1 CC to M/s.G.RAJASEKAR, Advocate (SR-1[F] dated 03/01/2022)

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