



Crl.O.P.(MD) No.21120 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.21120 of 2022

N.Subramanian

...Petitioner

VS

1. The Inspector General of Police,
South Zone,
Madurai.
2. The Superintendent of Police
Sivagangai District
Sivagangai.
3. The Assistant Superintendent of Police
Karaikudi Sub Division
Karaikudi.
4. The Inspector of Police
Karaikudi North Police Station,
Karaikudi.
5. C.Rajakumar,
The Inspector of Police
Karaikudi North Police Station,
Karaikudi.

...Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Respondents 4 and 5 not to harass the Petitioner in the guise of enquiry.

For Petitioner : Mr.R.M.Arun Swaminathan
For R1 to R4 : Mr.R.Suresh Kumar
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition had been filed to direct the Respondents 4 and 5 to not to harass the Petitioner in the guise of enquiry.

2. The learned Counsel for the Petitioner would submit that the Petitioner is aged about 74 years. He would further submit that the Petitioner had forwarded certain messages. The Petitioner was summoned to the police station. At that time the defacto Complainant who claims to be an Advocate came along with 15 members and in the presence of the police officials abused the Petitioner who is aged about 74 years. Further the Petitioner was forced to file this petition. The Petitioner was asked to wait in the station till the defacto complainant come to the station, thereby detaining him till evening ignoring the age of the Petitioner and age related medical condition.



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3. The learned Government Advocate(Crl.Side) would submit that the case was transferred to the file of the cyber crime.

4. Recording the submission of the learned Government Advocate(Crl.Side) on instructions from the Respondent police, the Respondents 1 to 5 are directed to follow the guidelines issued by the Hon'ble Supreme Court of India in ***Lalitha Kumari Vs. Government of Uttar Pradesh*** reported in **2013 (6) CTC 353** regarding enquiry. Considering the age of the Petitioner he shall not be summoned very often and at odd hours. The Petitioner is directed to cooperate with the pending enquiry if any with the Cyber Crime .

5. With the above direction, the Criminal Original Petition stands disposed of.

30.11.2022

Internet:Yes/No
Index:Yes/no
aav

3/5



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To

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2. The Superintendent of Police
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Sivagangai.
3. The Assistant Superintendent of Police
Karaikudi Sub Division
Karaikudi.
4. The Inspector of Police
Karaikudi North Police Station,
Karaikudi.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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