



WEB COPY



Writ Petition No.23038 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.23038 of 2023

Thailampatchai
S/o.Patchamuthu

...Petitioner

Vs

1.The District Superintendent of Police,
Salem District,
Salem.

2.The Inspector of Police,
Kakapalayam Police Station,
Salem District.

3.Prabhu

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the second respondent not to harass the petitioner and his family members and subsequently, take appropriate action on petitioner's complaint dated 28.05.2023 in pursuant to petitioner's representation dated 11.07.2023.

For Petitioner : Mr.C.Deepakkumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 & R2]

ORDER



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This Writ Petition has been filed seeking for a direction to the second respondent not to harass the petitioner and his family members.

2. Heard Mr.C.Deepakkumar, learned counsel appearing for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. Learned Additional Public Prosecutor, on instructions, submitted that the wife of the petitioner gave a complaint and based on the same, a First Information Report was registered by the Magudamchavadi Police Station, Salem, in Crime No.234 of 2023. In the course of investigation, the husband of the *de facto* complainant viz., the petitioner was called to give a statement.

4. In reply to the above submission, learned counsel for petitioner submitted that the petitioner is being repeatedly called to the police station and is forced to change the version in the complaint and it is done only to favour the accused persons.

5. In the considered view of this Court, the investigation is now



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pending before the concerned police station. It is left open to the petitioner to give a written statement before the investigation officer, who is investigating Crime No.234 of 2023 on the file of Magudamchavadi Police Station on 16.08.2023. On such written statement being given by the petitioner, he shall not be once again called to the police station in the name of further enquiry. The above direction will sufficiently take care of the grievance expressed by the petitioner.

This Writ Petition is disposed of in the above terms. No costs.

04.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

- To
- 1.The District Superintendent of Police,
Salem District, Salem.
 - 2.The Inspector of Police,
Kakapalayam Police Station,
Salem District.
 - 3.The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J



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