



CrI.O.P.(MD)No.3989 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.03.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.3989 of 2023

M.Subbaiah

... Petitioner

Vs.

State rep.by its :

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

2.The Deputy Superintendent of Police,
Nanguneri, Tirunelveli District.

3.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the third respondent not to harass the petitioner without following the due process of law based on his representation, dated 09.02.2023.

For Petitioner : Mr.C.Susi Kumar,

For Respondents : Mr.SS.Madhavan,
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to direct the third respondent not to harass the petitioner without following the due process of law based on his representation, dated 09.02.2023.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the respondents would submit that one Rasappa has given a complaint against the petitioner and on that basis, C.S.R.No.25 of 2023 came to be registered and the same is pending. He would further submit that the petitioner was directed to appear before the third respondent police for enquiry, but the petitioner has not turned up.

3. At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner is ready to appear before the third respondent police.

4. Recording the submissions made by the learned counsel on either side, the third respondent is directed to issue summons to the petitioner



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and on receipt of the same, the petitioner is directed to appear before the third respondent and on such appearance, the third respondent is directed to conduct enquiry by following the dictum laid down in the case of ***Lalita Kumari Vs. Government of Uttar Pradesh and Others*** reported in (2014) 2 SCC 1 and pass orders in accordance with law.

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

03.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das
To

- 1.The Superintendent of Police,
Tirunelveli, Tirunelveli District.
- 2.The Deputy Superintendent of Police,
Nanguneri, Tirunelveli District.
- 3.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.3989 of 2023

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