



Crl.O.P.(MD).No.9941 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.9941 of 2023

Meganathan

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,
Melapalayam Police Station,
Melapalayam,
Tirunelveli City & District.

3.Mr.Vignesh

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the 2nd respondent herein not to harass the petitioner on the guise of enquiry/conciliation without following due process of law.

For Petitioner : Mr.R.Prabakar

For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

For R3 : Mr.M.Natarajan



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ORDER

This Criminal Original Petition is filed to direct the 2nd respondent herein not to harass the petitioner on the guise of enquiry/conciliation without following due process of law. On a mention made by the learned counsel for the respondent, this petition is listed today.

2. There is no representation for the petitioner.

3. Learned Government Advocate submitted that on the basis of the complaint given by one Vignesh / the third respondent herein, enquiry was conducted. During the course of enquiry, both side appeared. At one point of time, the petitioner undertook to appear before the enquiry officer after some time, he failed to give statement, but he filed a petition in W.P.(MD)No.5985 of 2023 before this Court. The third respondent also appeared and gave a statement that he will appropriately defend the writ petition filed by the petitioner. On the basis of the said statement, further action was dropped in the complaint.



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4. After going through the closure report, it is submitted by the third respondent that the writ petition mentioned in the closure report is not connected with the parties. According to him, it is not cross verified by the enquiry officer.

5. Whatever it may be, since the complaint is closed, nothing survives for adjudication in this case. If the petitioner wants to prosecute, he can make a fresh complaint and the same may be enquired by the responden1 in accordance with law.

6. With this liberty, this Criminal Original Petition is dismissed as infructuous.

14.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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G.ILANGO VAN,J.

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To

- 1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 2.The Inspector of Police,
Melapalayam Police Station,
Melapalayam,
Tirunelveli City & District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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