



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **18.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.12848 of 2023

Mahamani

... Petitioner

Vs.

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

2.The State,
Represented by the Inspector of Police,
Othakadai Police Station,
Othakadai, Madurai District.

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent herein not to harass the petitioner under guise of enquiry and direct the respondent in any manner to disturb the petitioner's day to day business activities.

For Petitioner : Mr.T.Balakrishnan
For R1 and R2 : Mr.SS.Madhavan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to respondent No.2 Police not to harass the petitioner.



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2. It is submitted by learned counsel for the petitioner that on account of disputes in the Village between two groups, the Police have registered a case in Crime No.195 of 2023 against 24 accused persons. The petitioner's brother-in-law, by name, Santhikumar, is shown to be Accused No.11 in the said crime. Since the petitioner's brother-in-law Santhikumar, was absconding, the petitioner was taken to the police station and is being harassed, therefore, sought for suitable directions to respondent No.2. It is submitted that subsequently, the petitioner's brother-in-law / Accused No.11 surrendered and he was produced before the Court and remanded to judicial custody and subsequently, Police never harassed him.

3. Learned Government Advocate (Criminal Side) submits that the police went to the petitioner's house and enquired whereabouts of the brother-in-law, and that, the police did not harass the petitioner and he was never asked to come to the police station.

4. Admittedly, the petitioner is not accused in Crime No.195 of 2023. The respondent Police may enquire the petitioner in respect of whereabouts of Accused No.11, but, respondent Police are not expected to harass the petitioner by asking him to come to the police station.



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5. Since the respondent Police submitted that the Police have not harassed the petitioner, no further orders are required to be passed in this petition. It is needless to say that whenever such occasion arises, the police are not expected to harass the relatives of the accused asking them to direct the accused to surrender before the Court or produce before the Court.

6. With this observation, this Criminal Original Petition stands closed.

18.07.2023

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

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Othakadai Police Station,
Othakadai, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

tsg

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