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Crl.O.P.(MD)No.15482 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.09.2023**

CORAM:

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

Crl.O.P.(MD) No.15482 of 2023

Akbar

... Petitioner

Vs.

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

2.Karuppasamy Pandian,
The Sub-Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent not to harass the petitioner under the guise of enquiry on the basis of the petitioner's representation dated 20.06.2023.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (crl.side)



ORDER

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This Criminal Original Petition is filed seeking for a direction to the respondents Police not to harass the petitioner and to consider the representation of the petitioner dated 20.06.2023.

2. It is submitted by the learned counsel appearing for the petitioner that a case has been registered against the petitioner alleging that he has committed the theft of bike. Subsequent to his release, Police have been harassing the petitioner almost every day and asking him to appear before the Police Station. It is submitted that on one day, the Police have entered into his house when he was not present and directed the petitioner's daughter to see that the petitioner appears before the Police station.

3. The learned Government Advocate (Criminal side) appearing for the respondents Police, on the other hand, submits that there are about eight previous cases pending against the petitioner in respect of bike theft and the Police have also registered a case against the petitioner under Section 107 Cr.P.C., and a notice has been served and in that context only, during the course of enquiry, the petitioner is being called. It is also



submitted that earlier, similar application was filed by the petitioner and that was also dismissed.

4. In view of the submission made by both sides, since number of cases are stated to be pending against the petitioner under Section 107 Cr.P.C., the respondents Police are directed to follow the procedure, in case if the presence of the petitioner is required in any case and on serving of notice by the respondents Police, the petitioner is directed to appear before the Police for enquiry in any criminal case.

5. With these observations, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
ssb

01.09.2023

To

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

2. The Sub-Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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