



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **29.08.2023**

CORAM:

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

CrI.O.P.(MD) No.15052 of 2023

Ayyamuthalagu Pandian

... Petitioner

Vs.

1.The Superintendent of Police,
Office of Superintendent of Police,
Race Course Road,
Surveyor Colony, K.Pudur,
Madurai-625 007.

2.The Deputy Superintendent of Police,
O/C Deputy Superintendent of Police,
Samayanallur, Madurai-625 402.

3.The Inspector of Police,
Alanganallur Police Station,
Alanganalur,
Madurai District.

4.S.Siva

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the third respondent not to harass the petitioner under the guise of false complaint lodged by the fourth respondent and also direct the third respondent Police to issue summons under Sections 41 (A) of Cr.P.C. to investigate the matter.



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For Petitioner : Mr.R.Vignesh
For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate Crl.Side)
For R4 : Mr.R.Karunanidhi

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the respondent Police to follow Section 41 (A) of Cr.P.C procedure during the course of enquiry and not to effect arrest.

2. It is submitted fairly by the learned counsel appearing for the petitioner that, by the time, this matter is taken up for hearing, the petitioner was arrested and produced before the Court and was remanded to judicial custody, thereby, this Criminal Original Petition has become infructuous.

3. Learned counsel for the petitioner submitted that the remand of the petitioner is irregular and the respondent Police violated Section 41 A of Cr.P.C., thereby, he intended to challenge the remand. The petitioner is at liberty to challenge the remand, if, he is advised so.



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4. With the above directions, the Criminal Original Petition

is disposed of.

29.08.2023

Ncc : Yes /No

Index : Yes/No

Internet : Yes/No

tsg

Note : Issue Order Copy by 30.08.2023

To

- 1.The Superintendent of Police,
Office of Superintendent of Police,
Race Course Road,
Surveyor Colony, K.Pudur,
Madurai-625 007.
- 2.The Deputy Superintendent of Police,
O/C Deputy Superintendent of Police,
Samayanallur, Madurai-625 402.
- 3.The Inspector of Police,
Alanganallur Police Station,
Alanganalur,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

tsg

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