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Crl.O.P.(MD)No.15898 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.09.2023**

CORAM:

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

Crl.O.P.(MD) No.15898 of 2023

Joseph @ Joseph Raj

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Karungal Police Station,
Karungal,
Kanyakumari District.
Crime No.170 of 2023

..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 pretext of enquiry and the investigation.

For Petitioner : Mr.P.F.Ferlin Castro

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 second respondent Police not to harass the petitioner under the pretext of enquiry.

2. According to the petitioner, there are about six cases pending against him, out of which, one was disposed of and he was earlier shown as history sheeter, which has been removed and inspite of which, the Police, without following due process of law, have been harassing the petitioner and thereby, sought for suitable directions.

3. The learned Government Advocate (Criminal side) appearing for the respondents Police submits that six cases are pending against him and the petitioner is still shown as history sheeter and the respondents Police have been observing the activities and movements of the petitioner. It is submitted that the Police would follow the due process of law in case if the presence of the petitioner is required.

4. Considering the submissions made by both sides, since the petitioner is stated to be a history sheeter and five cases are still pending



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against him, in case if the Police requires the presence of the petitioner in any case, they are at liberty to do so. Further, the Police are required to follow the procedure strictly as contemplated under the law.

5. Accordingly, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
ssb

12.09.2023

To

- 1.The Superintendent of Police,
Kanyakumari District.
- 2.The Inspector of Police,
Karungal Police Station,
Karungal,
Kanyakumari 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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