



CrI.O.P.(MD) No.19216 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2023

CORAM:

THE HONOURABLE DR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD)No.19216 of 2023

M.Muthu

...Petitioner

Vs.

1.The Inspector General of Police,
South Zone,
Madurai.

2.The Deputy Inspector General of Police,
South Zone,
Madurai.

3.The Superintendent of Police,
Dindigul District,
Dindigul.

4.Balamurugan

...Respondents



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 4th respondent not to harass the petitioner and his family members and instruct the respondents 1 to 3 to monitor the 4th respondent, restraining him from harassing the petitioner based on the petitioner's representation dated 10.10.2023.

For Petitioner :Mr.P.T.Ramesh Raja

For Respondent :Mr.M.Sakthi Kumar for R1 - R3
Government Advocate (Crl. Side)

:Mr.C.Vakeeswaran for R4

ORDER

This Criminal Original Petition is filed to direct the 4th respondent not to harass the petitioner and his family members and instruct the respondents 1 to 3 to monitor the 4th respondent, restraining him from harassing the petitioner based on the petitioner's representation dated 10.10.2023.

2. The facts in brief:

On 02.10.2023 at mid-night 2.00 a.m., at the instigation of the fourth respondent, who is working as Special Sub-Inspector of Police, Anti Land Grabbing Cell, Dindigul District, one Kanchithalaivan and other two persons



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entered into the house of the petitioner's son namely Rajkumar and threatened him and his wife, received 20 sovereigns of gold jewels and Rs.60,000/-. They sexually tortured his daughter-in-law and criminally intimidated them not to make any complaint.

3. The daughter-in-law of the petitioner gave a complaint on 02.10.2023 as she received a phone call and she was threatened not to give any complaint. On that score, the petitioner gave a detailed complaint on 06.10.2023 to the respondents No.1 to 3. On coming to know about the same, the fourth respondent came to his house on 09.10.2023 at night and threatened the petitioner to withdraw the complaint. On several occasions, the fourth respondent collected money from the petitioner. Even after collecting the money, a false case has been registered. Now the fourth respondent is working in a special team, taking his position to his advantage, he is making threat, extracting money from the petitioner, etcetera. No proper action was taken on the petitioner's complaint, so he sent a representation on 10.10.2023. Since no action has been taken, this petition has been filed, seeking a direction to the fourth respondent not to harass the petitioner and his family members.



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5. The learned Government Advocate (Crl.Side) would submit that this petitioner and others, who are his family members, are indulged in several theft cases in various parts of Tamil Nadu. Their modus operandi is to mingle with the public in public places and commit theft. Several cases have been registered against them throughout Tamil Nadu. So far as Thenkarai Police Station is concerned, ten cases have been registered against them for the similar offences.

6. The learned counsel for the fourth respondent would submit that he is working in a special team and he is doing his duty in honest and fair manner. Now the complaint has been sent with ill motive to prevent the fourth respondent to make enquiry or investigation as the case may be for the said offences. According to him, that complaint is totally false and ill motivated.

7. The learned counsel for the petitioner would further submit that all the cases have been registered falsely and only to extract money, they have been implicated.



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8. Whatever it may be, when serious allegations of theft is made in the public places as alleged, it is the duty of the fourth respondent to make proper investigation into the offences. Simply because, the complaint has been sent against the fourth respondent, no direction can be issued to the respondents No.1 to 3 to monitor and advise the fourth respondent herein not to harass the petitioner and his family members. It is a clear abuse of process of the Court. So, this petition deserves dismissal and accordingly dismissed.

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

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G.ILANGOVAN. J.

Indu

To

- 1.The Inspector General of Police,
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Madurai.
- 2.The Deputy Inspector General of Police,
South Zone,
Madurai.
- 3.The Superintendent of Police,
Dindigul District,
Dindigul.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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