



CrI.O.P.(MD)No.85 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.01.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD)No.85 of 2024

Sakthimurugan

...Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
2. The Deputy Superintendent of Police,
Manamadurai Sub-Division,
Sivagangai District.
3. The Inspector of Police,
Palayanoor Police Station,
Sivagangai District.
4. The Sub-Inspector of Police,
Palayanoor Police Station,
Sivagangai District.
5. The Forest Ranger,
Forest Ranger Office,
Sivangangai,
Sivangangi District.
6. The Assitant Engineer,
Tamil Nadu Electricity Board,
Thiruppuvanam East,
Thiruppuvanam,
Sivagangai District.



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7. S.Sureshkumar

... Respondents

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Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to to issue a direction to the third and fourth Respondents Police not to harass the petitioner, on the basis of the petitioner's representation, dated 26.12.2023 and 02.01.2024.

For Petitioner : Mr.D.Azhagumalai

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition had been filed seeking direction against the third and fourth Respondents, not to harass the petitioner.

2. The learned Counsel for the Petitioner submitted that the Petitioner's son in law died in Electric fence in the field belonging to one Krishnan. After registration of the F.I.R, the investigation officer traced out the culprits and arrested them. The arrested person was arrayed as A3, based on his confession, A1 and A2 were traced. By then, A1 and A2 approached the Court concerend and obtained anticipatory bail. Now the investigation officer summon the Petitioner at odd hours to appear before him. Therefore,

<https://www.mhc.tn.gov.in/judicial> the Petitioner had filed this petition seeking direction against the



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Respondents No.1 to 4 not to harass him.

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3. The learned Additional Public Prosecutor submitted that the Petitioner was summoned by the Respondent Police, but he refused to accept the summon and had approached this Court. Also the witnesses examined by the investigation officer had spoken about some facts to the knowledge of the Petitioner herein. Therefore, by way of clarification and proceeding with the investigation, they need the Petitioner to appear and speak about those facts. Instead, he had approached this Court seeking direction.

4. Considering the submission of the learned Counsel for the Petitioner and the submission of the learned Additional Public Prosecutor, on instructions from the investigation officer, the Petitioner is directed to appear before the investigation officer in this case and co-operate with the pending investigation as a Law-abiding citizen of this country. As per the guidelines issued by the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. State of Uttar Pradesh*** reported in ***(2014) 2 SSC 1*** and ***Arnesh Kumar Vs. State of Bihar and another [2014 (8) SCC 273]***, the investigation officer is directed not to harass the Petitioner by summoning him at odd hours. The investigation officer is directed to issue proper



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summon as per Section 41A of Crpc .

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5. With the above said direction, this Criminal Original Petition is disposed of.

05.01.2024

Index : Yes/No

Internet: Yes/No

jbr

To

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3. The Inspector of Police,
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Forest Ranger Office,
Sivangangai,
Sivangangi District.



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6. The Assitant Engineer,
Tamil Nadu Electricity Board,
Thiruppuvanam East,
Thiruppuvanam,
Sivagangai District.
7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

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