



Crl.O.P.(MD) No.790 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.01.2024

CORAM:

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD) No.790 of 2024

K.Palanichamy

... Petitioner

Vs.

1.The Superintendent of Police,
Karur District.

2.The Deputy Superintendent of Police,
Kulithalai,
Karur District.

3. The Inspector of Police,
Thogamalai Police Station,
Karur District.

4. Mr.Rajkumar
Inspector of Police,
Thogaimalai Police Station,
Karur District - 621 313.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the third respondent not to harass the petitioner under the guise of an enquiry without following due process of law.

For Petitioners : Mr.R.Murugappan

For R-1 to R-4 : Mr.T.SenthilKumar
Additional Public Prosecutor



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ORDER

This petition is filed by the petitioner seeking a direction to the third and fourth respondents not to harass the petitioner under the guise of enquiry without following due process of law

2. The grievance of the petitioner is that since the petitioner had filed a petition under Right to Information Act, the respondents 3 and 4 are regularly knocking the doors of the petitioner and asking him to withdraw the said application. It is his further contention that the police had also registered F.I.R in Crime No.74 of 2023 dated 17.02.2023 for the alleged offences punishable under Section 294(b), 506(i) of IPC & Section 4 of Tamil Nadu Prohibition of Women Harassment Act against him on the false complaint given by a third party. Though the petitioner was enlarged on bail in the said crime number, the respondent police is harassing him under the guise of an enquiry.

3. Mr.T.Senthil Kumar, Additional Public Prosecutor, on instructions would submit that the petitioner has been habitually filing similar kinds of petitions. He pressed into service the orders passed in Crl.O.P.(MD)No.4781 of 2023 dated 09.06.2023 and Crl.O.P.(MD)No.3321 of 2023 by this Court,



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wherein, the present petitioner sought for a prayer against the respondent police to not harass him under the guise of an enquiry without following due process of law.

4. It is true that the petitioner on an earlier occasion had filed two similar applications. However, since the petitioner states that he has been harassed by the respondent police under the guise of an enquiry without following due process of law, it is necessary to direct the third and fourth respondents to follow the guidelines issued in the decision in the case of ***D.K.Basu Vs State of Bengal*** reported in ***AIR 1997 SC 610*** and the circular issued by the Additional Director General of Police (Law and order) dated 09.01.2024.

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

19.01.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
jbr



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Karur District - 621 313.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R. HEMALATHA, J.

jbr

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