



Crl.O.P.(MD) No.737 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.01.2024

CORAM:

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD) No.737 of 2024

M.Babu Raj

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
At Nagercoil.

2.The Inspector of Police,
Kollencode Police Station,
Kanyakumari District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the second respondent not to harass the petitioner and his family members by considering the complaint of the petitioner dated 08.01.2024.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.T.SenthilKumar
Additional Public Prosecutor



Crl.O.P.(MD) No.737 of 2024

ORDER

WEB COPY

This petition is filed by the petitioner seeking for a direction to the second respondent, Kollencode Police Station, Kanyakumari District not to harass him and his family members under the guise of an enquiry.

2. The grievance of the petitioner is that the second respondent without issuing any summons has initiated proceedings under Section 110 Cr.P.C which is totally against the police standing orders 748(2). His further contention is that the respondent police has also threatened him that they would open a history sheet against him.

3. Mr.T.SenthilKumar, learned Additional Public Prosecutor on instructions would submit that the respondent police has not harassed the petitioner and they had only issued summons under Section 110 Cr.P.C. Since the petitioner has not challenged the said summons, he cannot file this present petition.

4. Mr.S.Sivakumar, learned counsel for the petitioner submitted that the petitioner did not receive any summons allegedly issued by the respondent Police.



Crl.O.P.(MD) No.737 of 2024

WEB COPY

5. In such circumstances, the respondent police is directed to issue fresh summons to the petitioner and proceed further in accordance with law.

6. In view of the same, this Criminal Original Petition is disposed of.

18.01.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

- 1.The Superintendent of Police,
Kanyakumari District,
At Nagercoil.
- 2.The Inspector of Police,
Kollencode Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.737 of 2024

R. HEMALATHA, J.

Nsr

Crl.O.P.(MD) No.737 of 2024

18.01.2024