



Crl.O.P.(MD).No.1293 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 30.01.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD).No.1293 of 2024

Sathishkumar

... Petitioner

Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pudukkottai Sub Division,
Pudukkottai District.
- 3.The Inspector of Police,
Vellanur Police Station,
Pudukkottai District.

4.Azarudeen

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the third Respondent not to harass the Petitioner in accordance with law.

For Petitioner : Mr.R.Alagumani

For R-1 to R-3 : Mr.T.Senthil Kumar
Additional Public Prosecutor



Crl.O.P.(MD).No.1293 of 2024

ORDER

WEB COPY

The learned Counsel for the Petitioner submitted the Petitioner had filed this petition seeking direction against the third Respondent not to harass the Petitioner in accordance with law.

2. The learned Additional Public Prosecutor on instructions of the Respondents 1 and 2 would submit that the third Respondent had registered the case and recovered five vehicles, since the matter was involved car theft. He would also submit that 4 two-wheelers were theft. The third Respondent had issued summons to the Petitioner. Instead of appearing before the third Respondent, the Petitioner has approached this Court by way of filing this petition.

3. This Court is of the view that the Petitioner instead of attending enquiry, had approached this Court seeking direction, cannot be accepted by this Court. In the light of reported ruling of the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. State Government of Uttar Pradesh*** reported in **2014 (2) SCC 1** and in the case of ***Arnesh Kumar Vs State of Bihar*** reported in **2014 (8) SCC 273**, the Respondent Police is directed to issue proper summons to the parties by specifying the date and time for their appearance and they are



Crl.O.P.(MD).No.1293 of 2024

prevented from harassment by the Respondent Police. Also the Petitioner is directed to co-operate with the enquiry in the light of the aforesaid ruling of the Hon'ble Supreme Court.

4. In view of the above, this Criminal Original Petition is dismissed.

30.01.2024

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

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pudukkottai Sub Division,
Pudukkottai District.
- 3.The Inspector of Police,
Vellanur Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD).No.1293 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Crl.O.P.(MD).No.1293 of 2024

30.01.2024