



CrI.O.P.(MD) No.1694 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.1694 of 2024

C.S.C.Sivakumar

...Petitioner

vs

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Deputy Superintendent of Police,
District Crime Branch,
Thoothukudi District,
Thoothukudi.

3. The Inspector of Police,
District Crime Branc – Unit II,
Thoothukudi District,
Thoothukudi.

4. R.Subramani

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to issue Direction directing the 3rd Respondent, his subordinates and men, not to harass the petitioner under the guise of enquiry based on the complaint lodged by the 4th respondent.



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For Petitioner : Mr.G.Thalaimutharasu

For R1 to R3 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The learned Counsel for the Petitioner would submit that this petition is filed seeking a direction against the Respondents 1 to 3 not to harass the Petitioner based on the complaint of the 4th Respondent.

2. The learned Additional Public Prosecutor on instructions from the Respondents 1 to 3 would submit that the current paper is pending in C.NO. 409/DCB-II/TUT/2023.

3. The learned Additional Public Prosecutor would further submit that the Respondents 1 to 3 undertake to follow the Circular of the Director General of Police, Head of Police Force, Tamil Nadu State, Chennai-4 in Rc.No.892914/X1/2020 dated 12.03.2021.

4.In the light of the above, the Respondent Police are directed to issue summons as per the reported rulings of the Hon'ble Supreme Court in the



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case of ***Lalitha Kumari Vs. State of Uttar Pradesh*** reported in (2014) 2

SSC 1 and the case of ***Arnesh Kumar Vs. State of Bihar and another***

reported in ***2014 (8) SCC 273***. The Respondents shall issue summons to the Petitioner specifying the time and date for his appearance and interrogation.

On receipt of such summons, the Petitioner is directed to co-operate with the pending enquiry. The Respondents are directed not to issue summons to the Petitioner on odd hours.

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

Internet: Yes./No
Index: Yes/No
CM

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To

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2. The Deputy Superintendent of Police,
District Crime Branch,
Thoothukudi District,
Thoothukudi.
3. The Inspector of Police,
District Crime Branch – Unit II,
Thoothukudi District,
Thoothukudi.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

CM

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