



Crl.O.P.(MD)No.2605 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.03.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.2605 of 2024

M.Pachaiyappan

... Petitioner

Vs.

1. The Principal & Chief Conservator of Forests,
Guindy, Velachery Main Road,
Guindy,
Chennai - 600 032.
2. The District Forest Officer,
Theni District,
Theni.
3. The Forest Ranger,
Theni Range,
Theni.
4. Senthil Kumar,
The Forest Ranger,
Theni Range,
Theni.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Respondents herein not to harass the Petitioner under the guise of any enquiry and to restrain the fourth Respondent insisting for his illegal demands, acts and threats to the



Crl.O.P.(MD)No.2605 of 2024

Petitioner and his family members by considering the Petitioner's representation dated 14.02.2024.

For Petitioner : Mr.P.Mahendran

For Respondents : Mr.M.Veeranthiran
Government Advocate (Criminal side)

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking direction against the Respondent Police not to harass the Petitioner under the guise of an enquiry.

2.The learned Counsel for the Petitioner submitted that the Petitioner is the permanent residence of Manjinaickenpatti, Boothipuram Town Panchayat, Theni District. The Petitioner was employed as Mason. He was engaged by one Petayyan and Rajammal for construction of the house. While so, the Petitioner was engaged in a work connected with cutting of teak wood from the house of on Rowthu Naicker Chinthalapuram, Vadaveerayanaickenpatti and it was transported to Selva Saw Mill, Periyakulam, Theni. The Forest Department initiated criminal proceedings



Crl.O.P.(MD)No.2605 of 2024

against the said Selva Saw Mill. Under these circumstances, the Petitioner was forced to pay a sum of Rs.40,000/- (Rupees Forty Thousand only) as fine amount in favour of the Forest Department on 06.02.2024, even though the Petitioner was not at all involved in any illegal transportation.

3. During such process of enquiry, the fourth Respondent had been continuously threatened and was demanded a sum of Rs.4,00,000/- (Rupees Four Lakh only) to close the case, failing which the fourth Respondent would implicate the Petitioner in a criminal case. The Petitioner had not agreed for such demand. Under these circumstances, the Petitioner and the owner of the Selva Saw Mill had approached the District Forest Officer, Theni, regarding the demand of money of the fourth Respondent. The fourth Respondent was agitated by the Petitioner and the owner of the Selva Saw Mill. Therefore, the Petitioner was issued with a show cause notice as though he had recovered wooden pieces from the house of Rajammal. The said Rajammal is neither the relative or the friend of the Petitioner. The learned Counsel for the Petitioner also submitted that the Petitioner was issued with summons by the fourth Respondent as though he had seized Karungali Kattai from the said Rajammal. Therefore, the Petitioner seeks direction against the Respondent Police not to harass him under the guise of an enquiry.



Crl.O.P.(MD)No.2605 of 2024

WEB COPY

4.The learned Government Advocate (Criminal side) vehemently objects to the arguments of the learned Counsel for the Petitioner that the Petitioner was previously involved in another case for different range. Further, he submitted that the summons had been issued only for Karungali Kattai which is a schedule timber. The piece of Karungali Kattai will fetch Rs.10,00,000/- (Rupees Ten Lakh only). The learned Government Advocate (Criminal side) also submitted that the Petitioner was issued with summons to appear before the Forest Range Officer. Instead the Petitioner had filed this petition seeking direction against the Respondent Police not to harass him.

5.The learned Counsel for the Petitioner submitted that the seizure was not effected from the house of the Petitioner, it was seized from the house of the said Rajammal. The Petitioner has no relationship with the said Rajammal. Only to cause harassment to the Petitioner, summons had been issued.

6.Considering the submissions made by the learned Government Advocate (Criminal side) and the learned Counsel for the Petitioner, the Petitioner is directed to co-operate with the pending enquiry. Considering



Crl.O.P.(MD)No.2605 of 2024

the lapse of time, the Forest Officials are directed to issue fresh notice giving sufficient time to the Petitioner to respond.

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

04.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

jbr

To

1. The Principal & Chief Conservator of Forests,
Guindy, Velachery Main Road,
Guindy,
Chennai - 600 032.

2. The District Forest Officer,
Theni District,
Theni.

3. The Forest Ranger,
Theni Range,
Theni.

4. The Forest Range,
Theni Range,
Theni.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.2605 of 2024

SATHI KUMAR SUKUMARA KURUP, J.,

jbr

Crl.O.P.(MD)No.2605 of 2024

04.03.2024