



**CrI.O.P.(MD) No.2882 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 26.02.2024**

**CORAM**

**THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

**CRL.O.P (MD) No.2882 of 2024**

**K.Ananth**

**...Petitioner**

**VS**

**1.The Superintendent of Police,  
Madurai District.**

**2.The Inspector of Police,  
Checkanoorani Police Station,  
Madurai District.**

**3.C.Siva Pandi**

**...Respondents**

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Respondent Police not to harass the Petitioner under the guise of enquiry, based on the Petitioner's representation dated 20.02.2024 and as per the order of this Court in CrI.O.P.(MD) No.12308 of 2023 dated 07.07.2023.

**For Petitioner : Mr.N.Karthik Kannan**

**For R1 & R2 : Mr.M.Veeranthiran  
Government Advocate (CrI.side)**



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## **ORDER**

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The learned Counsel for the Petitioner submits that the Petitioner had filed this Petition seeking direction against the Respondents not to harass the Petitioner under the guise of enquiry. It is his submission that earlier the Petitioner had filed similar Petition seeking direction against the Respondents 1 and 2 not to harass him. At that time, the learned Government Advocate (Crl.side) submitted that the enquiry will be closed. Accordingly, the said Petition was closed by this Court. Subsequently, the Respondents 1 and 2 had filed fresh case and had been summoning the Petitioner, even though there is an order in his favour from this Court. Therefore, he was forced to file second Petition seeking direction against the Respondents 1 and 2 not to harass him.

2.The learned Government Advocate (Crl.side), on instructions of the Respondents 1 and 2, would submit that the second Respondent had received fresh complaint, based on which it is found that the Petitioner herein had received money from the third Respondent/*defacto* Complainant, but he did not hand over the Tractor to the third Respondent. The



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Respondents 1 and 2 undertake to conduct enquiry and pass appropriate orders within a week.

3.Considering the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate (Crl.side), the Petitioner is duty bound to co-operate with the pending enquiry, as per the reported ruling of the Hon'ble Supreme Court in the 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 1 and 2 are directed not to harass the Petitioner calling him at odd hours. If at all his presence is required, the Respondents 1 and 2 shall summon him prescribing the time and date for his appearance.

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

Internet:Yes./No  
Index:Yes/No  
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To

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



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**SATHI KUMAR SUKUMARA KURUP, J.**

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