



CrI.O.P.(MD) No.3385 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.3385 of 2024

Selvakumar

...Petitioner

VS

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

**2.The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.**

**3.The Sub Inspector of Police,
Aviyoor Police Station,
Virudhunagar District.**

4.Puvaneshwari

5.G.Sivasakthi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the 3rd/4th Respondent, the Sub Inspector of Police, Aviyoor Police Station, Virudhunagar District not to harass the Petitioner under the guise of enquiry based on the Petitioner's representation dated 03.02.2024.



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For Petitioner : Mr.B.Senthilkumar

For R1 to R3 : Mr.M.Veeranthiran
Government Advocate (Crl.side)

ORDER

The learned Counsel for the Petitioner submits that the Petitioner is an agricultural daily wage worker. The fifth Respondent/*defacto* Complainant in this case is the elected Panchayat President of Kurandi Village. Based on the complaint of the fifth Respondent that the Petitioner herein during Grama Sabha Public Meeting questioned the conduct of the fifth Respondent as President of the Village, for which the fifth Respondent was unable to answer the questions raised by the Petitioner herein. The fifth Respondent had influenced the fourth Respondent, based on which the fourth Respondent in her capacity as Sub Inspector of Police, Aviyoor Police Station, Virudhunagar District, had demanded the Petitioner to execute bond under Section 110 Cr.P.C.,

2.It is the further contention of the learned Counsel for the Petitioner that no case is pending against the Petitioner. While so, only to curtail the



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Petitioner from questioning the fifth Respondent, the elected President of Kurandi Village, the Respondents 3 and 4 had been harassing the Petitioner.

Therefore, he was forced to file this Petition based on the representation of the Petitioner dated 03.02.2024.

3.The learned Government Advocate (Crl.side), on instructions of the Respondents 2 and 3, submits that the Petitioner is having two previous cases. Based on the complaint of the fifth Respondent, two persons executed bond. The Petitioner herein did not execute the bond, even though there were criminal cases pending against him. When the fourth Respondent along with the Village Administrative Officer went to the residence of the Petitioner to affix summons, the Petitioner is alleged to have threatened them that he will commit suicide. Therefore, they were unable to affix the summons. Also, the fifth Respondent received a call from the District Secretary of a political party.

4.Considering the submission of the learned Counsel for the Petitioner and the learned Government Advocate (Crl.side), the Respondents 2 to 4 are directed to act as per the provisions of Cr.P.C., The



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Petitioner as a citizen of this country has to co-operate with the enquiry respecting the laws of the country and he cannot seek direction under Section 482 of Cr.P.C., when cases are pending against him.

Accordingly, this Criminal Original Petition is closed.

Internet: Yes./No
Index: Yes/No
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04.03.2024

To

- 1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.
- 3.The Sub Inspector of Police,
Aviyoor Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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