



Crl.O.P.(MD) No.7656 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.05.2024

CORAM

THE HON`BLE MRS.JUSTICE S.SRIMATHY

Crl.O.P.(MD) No.7656 of 2024

Manimaran

...Petitioner

Vs.

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

2.The Inspector of Police,
Jamunathapuram Police Station,
Trichy, Trichy District.

3.Jayabalu

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the second respondent herein not to harass the petitioner under the guise of enquiry based on the complaint lodged by Jayabalu/third respondent herein.

For Petitioner : Mr.C.Sureshkannan

For Respondents : Mr.S.Manikandan
Government Advocate (crl.side)



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ORDER

This petition has been filed seeking a direction to the respondent police not to harass the petitioner under the guise of enquiry based on the complaint lodged by Jayabalu/third respondent herein.

2. Heard the learned Counsel for the petitioner and learned Government Advocate (crl.side) appearing for the respondent police.

3. The learned counsel appearing for the petitioner submits that the respondent police harassed the petitioner under the guise of enquiry.

4. The learned Government Advocate (criminal side) appearing for the respondent police submits that the police called the petitioner for enquiry in the pending FIR in Crime No.85 of 2024. The case where the FIR is pending against the petitioner, there is no scope for this Court to entertain the petition under Section 482 of Cr.P.C., under the caption "Not to harass".



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5. (*) The petitioner shall co-operate with the enquiry. The respondent police shall not harass the petitioner during the enquiry. Further, the respondent police shall follow the guidelines issued by the Hon'ble Supreme Court in the cases of *D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610* and *Lalita Kumari Vs. Government of Uttar Pradesh and others [2013 (6) CTC 353]*. Therefore, this Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar

(*)Corrected as per order of this Court dated 12/06/2024 made in CRL.OP.(MD) NO. 7656/ 2024.

Sd/-

Assistant Registrar(C.S.I)

// True Copy //

/07/2024

Sub Assistant Registrar
(CS- I/ II / III / IV)

KSA

To

(*)To be substituted to the order already despatched on 05/06/2024

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

2.The Inspector of Police,
Jamunathapuram Police Station,
Trichy,
Trichy District.



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

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MGJ(31.05.2024) 4P 4C

SL(11.07.2024)/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.