



CRL OP(MD). No.9566 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9566 of 2024

H.Abbas

... Petitioner

versus

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Pudukkottai District.
2. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Alangudi Sub Division,
Alangudi,
Pudukkottai District.
3. The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent No.3 not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.A.Abdul Kabur

For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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CRL OP(MD). No.9566 of 2024

ORDER

The petitioner has approached this Court that the 3rd respondent Police is harassing him under the guise of enquiry.

2. The learned Government Advocate (Crl. Side) submits that the petitioner is a history sheet rowdy. He has involved in two criminal cases, one relates to an offence under Section 302 IPC offence and another relates to an offence under Section 307 IPC offence. Therefore, a history sheet was opened as against the petitioner in H.S.No.435 of 2011 and on a routine surveillance, the 3rd respondent Police has visited the place.

3. The learned counsel appearing for the petitioner submits that the petitioner was acquitted of the charge under Section 302 IPC and it is only a case pending against the petitioner for the offence under Section 307 IPC. The petitioner has also filed a writ petition before this Court in W.P.(MD)No.10195 of 2021. This Court, by order dated 04.08.2021, has



CRL OP(MD). No.9566 of 2024

passed an order directing the respondent Police to consider the case of the petitioner and delete his name from the History Sheet registered against him. The learned Government Advocate (Crl. Side) submits that it is only for considering the petitioner's representation and therefore, they have not taken a call.

4. This court considered the rival submissions made.

5. The petitioner has approached this Court that the 3rd respondent Police is harassing him under the guise of enquiry. The respondent Police claims that it is only a routine surveillance and the petitioner is a history sheet rowdy. The petitioner has also filed a writ petition in W.P. (MD)No.10195 of 2021, wherein, this Court, by order dated 04.08.2021, has issued a direction to the respondent Police to consider the case of the petitioner based on his representation dated 26.04.2021 and to take a call on the history sheet, which was opened against him. According to the petitioner, the respondent Police has not considered the same. It is not known as to why the respondent Police has not taken any steps sofar.



CRL OP(MD). No.9566 of 2024

6. Therefore, the respondents Police are directed to consider the case of the petitioner, based on his representation dated 26.04.2021 as directed by this Court in W.P.(MD)No.10195 of 2021, dated 04.08.2021 and take a decision and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

01.07.2024

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

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Pudukkottai District.
2. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Alangudi Sub Division,
Alangudi,
Pudukkottai District.
3. The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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CRL OP(MD). No.9566 of 2024

B.PUGALENDHI, J.

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Order made in
CrI.O.P.(MD)No.9566 of 2024

01.07.2024