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Cr1.O.P. (MD) No. 9422 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

Cr1.O.P. (MD) No. 9422 of 2024

1. D.Nickson Raj Joseph
2. Julle Janet ... Petitioners

versus

1. The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
2. The Deputy Superintendent of Police,
Tirunelveli,
Tirunelveli District.
3. The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
4. The Inspector of Police,
CBCID,
Tirunelveli District. ... Respondents

Petition filed under Section 482 Cr.P.C. seeking a direction to the 4th respondent not to harass the petitioners under the guise of enquiry by considering the petitioner's representation dated 20.05.2024.



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For Petitioners : Mr. Subash Babu,
Senior Counsel
for M/s. Subash Law Office

For Respondents: Mr. T. Senthil Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed seeking a direction to the 4th respondent not to harass the petitioners under the guise of enquiry by considering their representation dated 20.05.2024.

2. The learned counsel appearing for the petitioners submits that the petitioners have appeared before the respondent Police for enquiry, on 17.06.2024, 18.06.2024, 19.06.2024 and 20.06.2024. Even thereafter, the respondents Police are harassing the petitioners to appear before the respondent Police for enquiry.

3. The learned Additional Public Prosecutor submits that it is a serious case of murder and the District President of a National Political Party was



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done to death and his body was also burnt. He further submits that the petitioners are not co-operating for the enquiry and they also refused to receive the summons for enquiry. Therefore, the respondents Police find it difficult to examine the petitioners. Considering the seriousness of offence, the case was transferred to CBCID. The Inspector of Police, CBCID, is conducting the investigation. Since the petitioners are neighbours and their house is also situated 100 meters away from the occurrence place, they are very much required for the investigation.

4. This Court considered the rival submissions and perused the materials placed on record.

5. Since the deceased in this case is the District President of a National Political Party and also considering the fact that the deceased was murdered in a cruel manner, the Government has transferred the investigation to CBCID. The Inspector of Police, CBCID, is also conducting the investigation for the



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past one month. The petitioners' house is situated 100 meters away from the scene of occurrence. Therefore, the respondents Police have to find out the truth only by way of examining the witnesses. Therefore, this Court is not inclined to entertain this petition.

6. Accordingly, this Criminal Original Petition is dismissed with a direction to the petitioners to co-operate for the investigation. The respondents Police shall issue summon to the petitioners for enquiry through their Whats-App numbers. However, the respondents Police shall not harass the petitioners during the course of enquiry.

27.06.2024

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



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Tirunelveli District.
3. The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
4. The Inspector of Police,
CBCID,
Tirunelveli District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B. PUGALENDHI, J.

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