



CrI.O.P.(MD) No.9655 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.9655 of 2024

T.Sundar

... Petitioner

Vs

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

**2. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.**

3. C.D.Johnson

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the second respondent not to harass the petitioner repeatedly and regularly forthwith by calling the petitioner to the Police Station.

For Petitioner : Mr.S.Palanivelayutham,

**For R1 & R2 : Mr.P.Kottai Chamy
Government Advocate (CrI.Side)**



CrI.O.P.(MD) No.9655 of 2024

ORDER

WEB COPY

This criminal original petition has been filed seeking a direction to the second respondent not to harass the petitioner.

2.The learned Counsel appearing for the petitioner submits that the respondent police are harassing the petitioner by calling him to the respondent police station.

3.The learned Government Advocate (CrI.Side) appearing for the respondent police submits that based on the complaint lodged by the third respondent, on 09.01.2024, the learned Judicial Magistrate No.I, Nagercoil, has issued a direction under Section 156(3) Cr.P.C. to the respondent police. Therefore, they have assigned C.S.R.No.48 of 2024 and conducted enquiry. He further submits that it is a case of job racketing.

4.It appears that the respondent police are conducting enquiry in C.S.R.No.48 of 2024. It is admitted that the concerned Magistrate has issued a direction under Section 156(3) Cr.P.C to the respondent police on



CrI.O.P.(MD) No.9655 of 2024

09.01.2024. Even then, the respondent police has not registered a case. It is not known why the respondent police has not registered a case. However, this Court is of the view that the police are not collection agents, who can collect the money from the accused and to settle the same to the victim. In the event if cognizable offence is made out in the complaint, they ought to have register a case.

5.Considering the nature of allegations, this Court directs the Superintendent of Police, Kanyakumari District to look into issue and take appropriate action as against the erring officials, who have failed to register a case for the past six months.

6.With the above direction, this criminal original petition is disposed of.

02.07.2024

NCC : Yes/No
Internet: Yes/No
Index: Yes/No
LR

3/5



Crl.O.P.(MD) No.9655 of 2024

To

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

2. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

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



WEB COPY



Crl.O.P.(MD) No.9655 of 2024

B.PUGALENDHI, J.

LR

CRL.O.P (MD) No.9655 of 2024

02.07.2024