



Crl.O.P.(MD) No.12191 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 31.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.12191 of 2024

M.K.Senthilkumar

... Petitioner

Vs

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

2. The Deputy Superintendent Of Police,
Vedasandur,
Dindigul District.

3. The Inspector of Police,
Guziliamparai Police Station,
Dindigul District.

4. K.R.K. Kaliyappan

5. S.V.Krishnan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents 1 to 3 not to harass the petitioner and his family members under the guise of enquiry on the basis of petitioner's representation, dated 22.07.2024.



WEB COPY



Crl.O.P.(MD) No.12191 of 2024

For Petitioner : Mr.Imran Khan.J,
For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking a direction to the respondents 1 to 3 not to harass the petitioner and his family members under the guise of enquiry.

2.The learned Counsel appearing for the petitioner submits that the petitioner is a scrap merchant at Guziliamparai, Dindigul District. He is said to have lodged a complaint as against the fourth respondent alleging that unauthorizedly he is constructing a building. Based on that complaint, the unauthorized construction was sealed by the officials concerned. The petitioner has also given some interview before the Media persons. It appears that the fourth respondent is a relative of the fifth respondent, who is an Ex-MLA. The petitioner is said to have implicated the fifth respondent in his complaint. Aggrieved over the same, the fifth respondent has lodged a complaint as against the petitioner that the petitioner is attempting to defame him, for which, CSR.No.480 of 2024, was assigned.



Crl.O.P.(MD) No.12191 of 2024

In turn, the petitioner has also lodged a complaint as if that he is having threat from the fourth and fifth respondents, for which, C.S.R.No.476 of 2024 was assigned.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the respondent police is conducting enquiry on both the complaints.

4.Considering the rival submissions made, this criminal original petition is allowed. The respondent police is not supposed to harass the petitioner for having lodged a complaint in accordance with law. If the nature of the complaint lodged by the fifth respondent appears to be of defamation in nature, the fifth respondent shall workout his remedy by filing a private complaint, not by filing a complaint before the police officers.

31.07.2024

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



Crl.O.P.(MD) No.12191 of 2024

To

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

2. The Deputy Superintendent Of Police,
Vedasandur,
Dindigul District.

3. The Inspector of Police,
Guziliamparai Police Station,
Dindigul District.

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



WEB COPY



Crl.O.P.(MD) No.12191 of 2024

B.PUGALENDHI, J.

LR

CRL.O.P (MD) No.12191 of 2024

31.07.2024