



Crl.O.P.(MD) No.19543 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P (MD) No.19543 of 2024

K.Selvam

...Petitioner

VS

1.State of Tamil Nadu Rep. by
the Superintendent of Police,
O/o of Superintendent of Police,
Trichy District.

2.The Deputy Superintendent of Police,
O/o of Deputy Superintendent of Police,
Musiri, Trichy District.

3.The Inspector of Police,
Musiri Police Station,
Musiri, Trichy District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying, to direct the third respondent not to harass the petitioner and is
family members on the basis of the representation dated 07.11.2024.

For Petitioner : Mr.K.Selvam

**For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor**



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ORDER

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The petitioner has sent a representation on 07.11.2024 to the respondent police stating that he has been forced to execute a bond under Section 110 Cr.P.C and he has been continuously called and harassed by the third respondent police.

2. The learned counsel for the petitioner submits that the petitioner has been married living with wife for 15 years and they have two children aged about 3 years. The petitioner is employed in a grocery shop as a helper and receiving a monthly salary of Rs.7000/-. This being so, the respondent police calling for the petitioner's Adhar Card details and others for the purpose of initiating proceedings under Section 110 Cr.P.C and is causing harassment.

3. The learned counsel for the petitioner further submitted that earlier in the year 2021, a case in Crime No.311 of 2021 under Sections 6 & 24(1) of Cigarette and Other Tobacco Products Act, 2003 r/w Section 328 of IPC was registered. Apart from that, the petitioner has got no bad antecedents.



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4. The learned Additional Public Prosecutor submitted that the petitioner is involved in three cases in Crime No.306 of 2021 and Crime No.466 of 2021 in Musiri Police Station and in Crime No.109 of 2021 in Kulithalai Police Station. Other than that, the petitioner has got a case in Crime No.311 of 2021 for offences under Sections 6 & 24(1) of Cigarette and Other Tobacco Products Act, 2003 r/w Section 328 IPC and the petitioner has been regularly indulging in activities against the public order and for that purpose, he had been called. The learned Additional Public Prosecutor would further submit that out of earlier three cases, two cases have been disposed of. He would also submit that steps have been taken to initiate proceedings with the Revenue Divisional Officer and for that purpose, availability of the petitioner was verified and nothing more. He would also submit that summons would be served to the petitioner if any proceedings are initiated against him.

5. Considering the rival submission, it is seen that the petitioner is involved in Crime No.311 of 2021 and the proceedings has been initiated by the police with the Revenue Divisional Officer for execution of bond. In the event of initiating proceedings under Section 110 Cr.P.C, at that time



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summons would be served to the petitioner and without issuing any summons, the petitioner shall not be unnecessarily harassed .

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

Internet:Yes./No

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Index:Yes/No

CM

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O/o of Deputy Superintendent of Police,
Musiri, Trichy District.

3.The Inspector of Police,
Musiri Police Station,
Musiri, Trichy District.

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



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M.NIRMAL KUMAR, J.

CM

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