



Crl.O.P.(MD)No.20099 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.20099 of 2024

V.Raju

.. Petitioner

Vs.

1. The Superintendent of Police
O/o.Superintendent of Police
Virudhunagar District
Virudhunagar

2. The Inspector of Police
Narikudi Police Station
Virudhunagar District

3. The Sub Inspector of Police
A. Mukkulam Police Station
Virudhunagar District

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent and his officials not to harass the petitioner and his family members unnecessarily against law under the guise of enquiry on the basis of the petitioners representation dated 04.11.2024 to the first respondent.

For Petitioner : Mr.A. Karthigaivel

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



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ORDER

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This Criminal Original Petition has been filed to direct the second respondent and his officials not to harass the petitioner and his family members unnecessarily against law under the guise of enquiry on the basis of the petitioners representation dated 04.11.2024 to the first respondent.

2. The petitioner had sent representation dated 04.11.2024 stating that for the past 40 years he is residing in Mudukkankulam Village. One Muthusamy husband of the Panchayat President has been sending anonymous petition to various authorities making false allegations. Against the petitioner petition has been sent stating that the petitioner was dealing with banned tobacco products. On 03.11.2024 the Sub Inspector of Police attached to the respondent police had come to the house of the petitioner and made a search but nothing could be seized. According to the petitioner he is having no shops and he is not dealing with any banned tobacco products. The respondent police are calling the petitioner for enquiry and hence he has filed the present petition.

3. The learned Additional Public Prosecutor submitted that respondent police to curb and curtail the sale of banned tobacco products



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that took place on 02.03.2024 had found one Muthuraman of Mudukankulam dealing with tobacco products a case in Crime No.18 of 2024 registered for offences under Section 24(1) of Cigarette and Other Tobacco Products Act. During enquiry with the said Muthuraman the petitioner's house was pointed and thereafter it was verified and no search or seizure was made in the petitioner's house and enquiry has been made which has been projected as though the respondent police are causing harassment to the petitioner.

4.In view of the above this Court finds that the enquiry with the petitioner would not amount to harassment and hence this Criminal Original Petition stands dismissed.

20.11.2024

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

1. The Superintendent of Police
O/o.Superintendent of Police
Virudhunagar District
Virudhunagar



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2. The Inspector of Police
Narikudi Police Station
Virudhunagar District
3. The Sub Inspector of Police
A. Mukkulam Police Station
Virudhunagar District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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