



Crl.O.P.(MD)No.19895 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19895 of 2024

M.Dhinesh

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Aundipatti Division,
Theni District.

3. The Inspector of Police,
Mayiladumparai Police Station,
Theni District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the third respondent, not to harass the petitioner under the guise
of an enquiry, by considering the representation dated 06.11.2024.

For Petitioner : Mr.S.Vikram

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



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ORDER

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The Criminal Original Petition has been filed to direct the third respondent, not to harass the petitioner under the guise of an enquiry.

2. The case of the petitioner is that the petitioner sent a representation on 06.11.2024 to the first respondent alleging that under the guise of an enquiry, the petitioner has been unnecessarily called and harassed by the third respondent at odd hours. Further, they are visiting the petitioner's house often, as though the petitioner is a notorious criminal. On 13.09.2024 and 14.09.2024, the petitioner came to attend the funeral in his family in Gudalur, at that time, the police had visited his home. Again on 16.09.2024, the Deputy Superintendent of Police, Uthamapalayam Division, visited the petitioner's home and enquired about the petitioner. Again on 20.10.2024, when the petitioner was taking treatment in the hospital, the police had visited his home, which is causing harassment to the petitioner.

3. The learned Additional Public Prosecutor would submit that the Superintendent of Police had issued office memorandum referring to



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Crime Investigation Unit that eight persons are suspected to be involved in transportation of commercial quantity of ganja and the same has been transported through loaded vehicles along with the other loads and the petitioner is also suspected to have received a portion of the said ganja. Hence, the petitioner was called for an enquiry. Since it is an enquiry based on the information from the Crime Investigation Unit, calling of the petitioner for an enquiry cannot be termed as harassment. He further submitted that the respondents would issue a summon and the petitioner would be called for an enquiry.

4. In view of the above, the respondent police is directed to issue summon to the petitioner and the petitioner is directed to appear before the respondent police. Thereafter, the respondent police shall conduct the investigation in accordance with law. Accordingly, this Criminal Original Petition is disposed of.

18.11.2024

NCC : Yes / No
Index : Yes / No
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M.NIRMAL KUMAR, J.

jbr

To

1. The Superintendent of Police,
Theni District, Theni.
2. The Deputy Superintendent of Police,
Aundipatti Division,
Theni District.
3. The Inspector of Police,
Mayiladumparai Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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