



Crl.O.P.(MD)No.19925 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.19925 of 2024

Selvakumar

... Petitioner

Vs.

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

2. The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.

3. Azhagumuthu

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the second respondent, not to harass the petitioner except
according to due process of law.

For Petitioner : Mr.M.Prabhu

For R-1 & R-2 : 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 second respondent, not to harass the petitioner under the guise of an enquiry.

2. The case of the petitioner is that under the guise of an enquiry, the petitioner has been unnecessarily called and harassed by the second respondent at odd hours. Earlier, a case in Crime No. 472 of 2023 has been registered as against the petitioner and the charge sheet has been filed and the petitioner is ready to participate in the trial and to prove his innocence. Now again the respondent police at the instigation of the third respondent is calling the petitioner for an enquiry and also visiting his residence at odd hours.

3. The learned Additional Public Prosecutor would submit that as regards to the earlier complaint, the investigation has been completed and now the charge sheet has also been filed. The present case in Crime No.554 of 2024 dated 27.09.2024 has been registered against the petitioner for the offence under Sections 126(ii), 127(ii), 296(b), 118(i) and 351(3) of BNS, 2023. Only for the purpose of an enquiry, the



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petitioner was called for.

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4. Considering the fact that the case has been registered against the petitioner, he has been called for an enquiry. The respondent police is directed to issue summon to the petitioner and the petitioner is directed to appear before the respondent police for an enquiry. 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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To

1. The Superintendent of Police,
Thoothukudi District, Thoothukudi.
2. The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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