



Crl.O.P.(MD)No.21673 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21673 of 2024

Syidaputhagir

.. Petitioner

Vs.

1. The Commissioner of Police
Office of the Commissioner of Police
Alagarkovil Main Road, K.Pudur,
Madurai, Tamil Nadu- 625 002
2. The Superintendent of Police
Office of the Superintendent of Police
Alagarkovil Main Road, K.Pudur,
Madurai, Tamil Nadu- 625 002
3. The Inspector of Police
Jaihindpuram Police Station
Madurai, Tamil Nadu
4. Arul Kumar
Head Constable of Police
Jaihindpuram Police Station
Madurai, Tamil Nadu

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents not to harass the petitioner in the guise of inquiry under the impression of suspect on the basis of petitioner representation dated 23.11.2024



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For Petitioner : Mr.S. Mohammed Azharuddin

For Respondents : Mr.A.Thiruvadi Kumar
No.1 to 3 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner in the guise of enquiry under the impression of suspect on the basis of petitioner representation dated 23.11.2024

2. The petitioner has sent representation on 25.11.2024 to the Director General of Police, Chennai, District Collector, Madurai, Commissioner of Police, Madurai and Superintendent of Police, Madurai to take action against the Inspector of Police, Jaihindpuram Police station to return the petitioner's mobile phone which has been seized by the fourth respondent.

3. The petitioner on earlier three occasions appeared before the third respondent and he was unnecessarily detained in the police station without any question and the petitioner has been subjected to harassment. The respondent police suspecting the petitioner involved in selling small



quantity of kanja to school students and college students. Further the petitioner was informed that due to mistaken identity the name of the petitioner has been used. The petitioner has got no previous antecedents and he is not involved in such activities.

4. The learned Additional Public Prosecutor submitted that it was found that the petitioner is the only person with this name and hence the petitioner was called for enquiry.

5. In view of the same, the petitioner is directed to appear before the respondent police for enquiry if it is found that the petitioner is no more required for enquiry he will not be disturbed.

6. The learned counsel appearing for the petitioner on instructions submitted that the petitioner will appear before the respondent on 14.12.2024.

7. The Inspector of Police, Jaihindpuram Police Station is directed to conduct enquiry in this case. Further if there is any seizure of mobile phone, the same shall also be returned to the petitioner.



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8. With the above direction, the Criminal Original Petition stands disposed of.

10.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 12.12.2024

To

1. The Commissioner of Police
Office of the Commissioner of Police
Alagarkovil Main Road, K.Pudur,
Madurai, Tamil Nadu- 625 002
2. The Superintendent of Police
Office of the Superintendent of Police
Alagarkovil Main Road, K.Pudur,
Madurai, Tamil Nadu- 625 002
3. The Inspector of Police
Jaihindpuram Police Station
Madurai, Tamil Nadu
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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