



Crl.O.P.(MD)No.20892 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.20892 of 2024

Kalimuthu

.. Petitioner

Vs.

1. The Superintendent of Police
Madurai District
2. The Deputy Superintendent of Police
Thirumangalam
Madurai District
3. The Inspector of Police
Thirumangalam Taluk Police Station
Madurai District
4. The Sub Inspector of Police
Koodakovil Police Station
Madurai District
5. The Inspector of Police
Economic Offences Wing
Madurai
6. Padmini

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS to direct the second respondent not to harass the petitioner and his family members based on enquiry.



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For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.A.Thiruvadikumar
No.1 to 5 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner and his family members based on enquiry.

2. The petitioner father of one Palpandi has sent a representation dated 22.11.2024 to various police officials complaining that the petitioner was arrested in Crime No.148 of 2024 for the offences under Sections 296(b),115(2), 135,351(3), 49 of BNS and Section 4 of TNPHW Act. The petitioner, his son and daughter -in-law were arrested by the respondent police in the above case and with regard to the another son he had approached the sessions Court and obtained anticipatory bail. After coming out on bail the petitioner was called for enquiry.Earlier the petitioner's son palpandi had given Insolvency Petition in IP No.53 of 2023. The son of the petitioner was in real estate business having transaction with several persons in and around Thirumangalam and taken loan from several person who claim Exorbitant interest. Principal and



reasonable interest was repaid. There was some dispute on the ex-orbitant interest they have lodged a false complaint. The petitioner is facing the case. The respondent police under the guise of enquiry, often calling the petitioner at odd hours and detaining him in the police station due to which the petitioner and his family members are unable to take care of their cattle and to do agricultural activities. Some of the cattle fell sick and died, hence he had sent the representation.

3. The learned Additional Public Prosecutor submitted that as on date no case is pending against the petitioner with the fifth respondent. As regards the fourth respondent a case in Crime No. 148 of 2024 was registered against petitioner and two others and they were arrested and later after 10 days they were let out on bail with certain conditions and one of the conditions is that they appear before the respondent police as and when required for interrogation. In this case it is seen that the petitioner and his family members have cheated several persons. For that purpose the petitioner was called for enquiry. The petitioner being an accused in Crime No. 148 of 2024 cannot claim that calling for enquiry cannot be termed as harassment. Further the learned Additional Public Prosecutor submitted that if the petitioner is required for enquiry in



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connection with the Koodakovil police station in Crime No.148 of 2024
he will be summoned and enquired.

4. Recording the same, the Criminal Original Petition stands closed.

29.11.2024

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

1. The Superintendent of Police
Madurai District
2. The Deputy Superintendent of Police
Thirumangalam
Madurai District
3. The Inspector of Police
Thirumangalam Taluk Police Station
Madurai District
4. The Sub Inspector of Police
Koodakovil Police Station
Madurai District



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5. The Inspector of Police
Economic Offences Wing
Madurai

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



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M.NIRMAL KUMAR,J.

aaV

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