



Crl.O.P(MD)No.6617 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.6617 of 2024

J.Benadict Raj

... Petitioner

Vs

1. The Superintendent of Police,
Kannyakumari District at Nagercoil.

2. The Inspector of Police,
Eraniel Police Station,
Kannyakumari District.

3. David Rymond

4. Kanagamani

5. Muthu Krishnan

6. Donas Freedy Gilbert

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to direct the 2nd respondent police not to harass the petitioner in the guise of enquiry.



WEB COPY



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For Petitioner : Mr.K.P.Narayanakumar,

For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (CrI.Side)

For R5 & R6 : Mr.L.Siva

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent police not to harass the petitioner in the guise of enquiry.

2.When the matter is taken up for hearing, the learned Government Advocate (CrI.Side) appearing for the respondent police would submit that the third respondent lodged a complaint against the petitioner and the same was closed after enquiry, on 23.04.2024. The second respondent has not harassed the petitioner as alleged by the petitioner and only for enquiry purpose, the petitioner has been called. After closure of the said complaint, the third respondent again lodged a complaint under Section 156(3) of Cr.P.C., before the learned Judicial Magistrate, Eraniel and the same was forwarded to the second



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respondent and based on the same, the second respondent registered the case in Crime No.44 of 2025. Therefore, only for investigation purpose, the respondent police called the petitioner. Hence, nothing survives for further adjudication in this case.

3.Since the prayer of the petitioner is not to harass the petitioner and already the second respondent called the petitioner for enquiry based on the complaint given by the third respondent and the same was already closed and thereafter, the third respondent has approached the learned Judicial Magistrate, Eraniel and based on the order of the learned Judicial Magistrate, Eraniel, the second respondent has registered an FIR in Crime No.44 of 2025, recording the same, this Criminal Original Petition is closed.

17.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR



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To

WEB COPY

1. The Superintendent of Police,
Kanniyakumari District at Nagercoil.
2. The Inspector of Police,
Eraniel Police Station,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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