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CrI.O.P.(MD)No.22877 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P(MD)No.22877 of 2024

M.Karuppasamy

... Petitioner

-Vs-

1.The State of Tamil nadu rep by
The Superintendent of Police,
Thoothukudi,
Thoothukudi District.

2.The Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi,
Thoothukudi District.

... Respondents

Prayer: Criminal Original Petition - filed under Section 528 of Bharatiya
Nagarik Shuraksha Sanhita, to direct the second respondent not to harass
the petitioner under the guise of enquiry by considering the
representation dated 24.10.2024 made by the petitioner's brother viz.,
Raja.

For Petitioner : Mr.A.Mohamedhaneef

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed seeking a direction
to the second respondent not to harass the petitioner under the guise of
enquiry by considering the representation dated 24.10.2024.



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2.The brother of the petitioner has sent a representation to the Superintendent of Police stating that the petitioner, his brother, mother were all forced by the respondent police to sign in a blanket white paper in the police station. However, no action has been taken. Earlier, the petitioner's father was done to death by one Satheesh, and on the complaint of the petitioner a case in Crime No.95 of 2024 under Sections 341, 294(b), 302, 506(ii) IPC was registered against Satheesh and other accused persons. The petitioner and his family members are already fearing for their life at the hands of the accused persons, who murdered their father. Further he is being harassed by the respondent police. Therefore, he had sent a complaint, but no action has been taken. Hence, the petitioner has filed this petition.

3.The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner's father, who belongs to a political party, was done to death. There is a chance of retaliation murder. Hence, the petitioner and his family members were called for enquiry in this regard and the same has been projected as though forcible signature was obtained from the petitioner and his family members. No such signature was obtained. Now, in the case in Crime No.95 of 2024 , investigation is completed and charge sheet is filed and the same is taken on file in S.C.No.176 of 2024.



4.Heard the learned counsel appearing on either side and perused the materials placed on record.

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5.The petitioner and his family members are victims and on the complaint with regard to the death of the petitioner's father, the respondent police acted swiftly and concluded the investigation. Now, charge sheet is filed and the same has been taken on file. The petitioner and his family members since have agitated for the death of their father, were called for enquiry in order to ascertain the motive of murder of the petitioner's father. This was projected as harassment.

6.Hence, this Court finds no merits in this petition. Accordingly, this Criminal Original Petition is dismissed.

03.01.2025

Index : Yes/No

Internet : Yes/No

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To

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

2.The Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi, 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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