

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

Cr1.O.P.No.4630 of 2015

R.Moses

... Petitioner

vs.

The Inspector of Police,
Chettipalayam Police Station,
Coimbatore.

... Respondent

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondent not to harass the petitioner.

For Petitioner : Mr.L.Mouli

For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

It is submitted by the learned counsel appearing for the petitioner that even though the petitioner appeared before the respondent/Police, pursuant to the summon issued by the respondent, dated 03.02.2015, the respondent/Police is insisting on the petitioner to appear for enquiry every day.

2. It is submitted by the learned Additional Public Prosecutor, representing the respondent/Police that, one A.Alagesan has given complaint against the petitioner, on 22.12.2014, and it was given C.S.R.No.90 of 2015. In connection with the same, the petitioner was summoned and the petitioner was not asked to appear before the Police daily, as alleged by the petitioner. The learned Additional Public Prosecutor also submitted that the petitioner was directed to produce some documents, but those documents were not produced by the petitioner. The learned Additional Public Prosecutor also produced the complaint, dated 22.12.2014, given by the said A.Alagesan.

3. According to me, if the complaint, dated 22.12.2014, given

by the aforesaid A.Alagesan discloses any cognizable offence, then the respondent/Police is expected to register a case by the following the law laid down by the Hon'ble Apex Court in re Lalita Kumari vs. Govt. of U.P. & others, reported in [2013 (4) Crimes 243 (SC)], and there is no need for the respondent/Police to call the petitioner herein for enquiry.

4. Hence, the Criminal Original Petition is disposed of, by directing the respondent/Police to take action on the complaint given by the said A.Alagesan, dated 22.12.2014 by following the dictum laid down by the Hon'ble Apex Court in Lalita Kumari's case, referred supra, and without registering the case, the respondent/Police should not harass the petitioner.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Chettipalayam Police Station,
Coimbatore.
2. The Public Prosecutor,
High Court, Madras.

AD(CO)
CA(16/03/2015)

CrI.O.P.No.4630 of 2015

सत्यमेव जयते

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