

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.13494 of 2016

D.Ramesh

... Petitioner

Vs

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

2.The Inspector of Police,
Veerapandi Police Station,
Veerapandi, Tiruppur North Taluk,
Tiruppur District.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 1st respondent to issue necessary direction to the 2nd respondent not to harass the petitioner based on the petition given by the petitioner before the 1st respondent on 26.05.2016.

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

On account of boycott of Courts, there is no representation on the side of the petitioner. However, in Harish Uppal [Ex.Capt.] Vs Union of India reported in [2003] 2 SCC 45, the Hon'ble Supreme Court has held that boycott of Courts is illegal and therefore, this Court went through the records, heard the learned Additional Public Prosecutor and passed the following order.

2. Learned Additional Public Prosecutor submitted that this petitioner is an accused in Crime No.195 of 2016 for the offences under Section 294[b], 324 and 506[iii] IPC.

3. Under such circumstances, once a regular FIR has been registered, the question of 'not to harass' will not arise, because the expression 'harassment' is so subjective that it cannot be encapsulated in an objective criteria. If 'not to harass' order is passed in this case, where a regular FIR has been registered, a notice by the Investigating Officer u/s 41 of Cr.P.C. can also be construed as an harassment. This

Court has dealt with this aspect at length and passed a detailed order in the case of Dorand and Others Vs the Superintendent of Police, Nagercoil, Kanyakumari District and another in Crl.O.P.[MD] No.1727 of 2016 decided on 01.02.2016.

Hence, this petition is dismissed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gya

To

- 1.The Superintendent of Police,
Tiruppur District, Tiruppur.
- 2.The Inspector of Police,
Veerapandi Police Station,
Veerapandi, Tiruppur North Taluk,
Tiruppur District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Kannan, Advocate, S.R.No.36166

CRL.OP.No.13494 of 2016

GJ II(CO)
CA(19/07/2016)

सत्यमेव जयते

WEB COPY