

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.16016 of 2016

V.Malarkodi

... Petitioner

Vs

1. The Assistant Commissioner of Police,
Sembiam Range,
Chennai.
 2. The Inspector of Police (Crime)
K5, Peravallur Police Station,
Chennai.
 3. The Sub Inspector of Police (Crime)
K1, Sembiam Police Station,
Chennai.
 4. Lokesh
- ... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 1st respondent not to harass the petitioner's son Kishore, male, aged 20 years, S/o.Venkatesh on the basis of the false complaint without conducting proper enquiry.

For Petitioner : Mr.S.Senthilvel

For Respondents : Mr.C.Emalias, [for R1 to R3]
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the first respondent not to harass the petitioner's son Kishore.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

3. On 29.07.2016, this Court has passed the following order :

" When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that the keys are with the fourth respondent/owner of the house, and that the police are in look-out of Kishore, the son of the petitioner, who is said to have been involved in six cases of chain snatching in that area.

2. Mr.S.Senthil Vel, the learned counsel appearing for the petitioner submitted that for the failure on the part of the police to apprehend Kishore, the petitioner cannot be penalised. He further submitted that the petitioner is ready to take away her belongings and leave the place.

3. The petitioner is directed to file an affidavit before this Court on 01.08.2016.

4. The respondent-Police is directed to produce the fourth respondent before this Court on 01.08.2016.

Post on 01.08.2016 @ 2.30 pm "for orders".

4. Today, when the matter is called, Mr.P.Jaganathan, the father of the fourth respondent is present. The petitioner has filed an affidavit, wherein it is stated as follows :

" 2. I submit that as per the order of this Hon'ble Court, I am undertake to file an affidavit and I ready to take my entire household articles which belongs to me which was in the custody 4th respondent.

3. I submit that no other issues will be precipitated against the 4th respondent and in the future also I will give assurance before this Hon'ble Court that I will not give any trouble to the 4th respondent unnecessarily.

4. I submit that today 01.08.2016 that I have taken my entire household articles from the 4th respondent house and the 4th respondent also return the advance amount and there is no dispute between me and 4th respondent hereafter regarding the issues."

Recording the same, this Criminal Original Petition is closed with a direction to the respondent-Police not to harass the petitioner in the guise of locating the petitioner's son Kishore. However, the petitioner shall also co-operate with the Police for tracing Kishore.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar
ds

To:

1. The Assistant Commissioner of Police,
Sembiam Range,
Chennai.
2. The Inspector of Police (Crime)
K5, Peravallur Police Station,
Chennai.
3. The Sub Inspector of Police (Crime)
K1, Sembiam Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.S.Senthil Vel, Advocate, S.R.No.43731

Cr1.OP.No.16016 of 2016

CTK(CO)
CA(23/08/2016)

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