

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. No.28931 of 2015

S.Muruganathan

... Petitioner

Vs

1.The Commissioner of Police
Office of the Commissioner of Police
Vepery, Chennai 07.01.2016

2.The Assistant Commissioner of Police
St.Thomas Mount
Chennai 16.

3.The Inspector of Police
S-11 Tambaram Police Station
West Tambaram, Chennai 45.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the third respondent not to harass the petitioner other than due process of law.

For petitioner : Mr.R.John Sathyan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This petition has been filed to direct the third respondent not to harass the petitioner other than due process of law.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is seen that this petitioner was arrested in Cr.No.406/2015 for an offence u/s 7(1) of the Lottery Regulations Act & Section 420 IPC and had been released on bail. Earlier to this, the petitioner herein is stated to have been involved in similar offences in Cr.Nos. 2632/2012, 898/2013 and 1209/2014. Under such circumstances, now it is alleged by the petitioner that though he is not

involving himself in sale of banned lotteries, the police are harassing him unnecessarily in the guise of the investigation.

4. Learned Additional Public Prosecutor, on instructions, submitted that the police are keeping a watch over the petitioner, as he is continuing his business by e-correspondence.

5. In view of the above, a blanket order of "not to harass" cannot be ordered, however, if there are specific allegations of violation of law against the petitioner, it is open to the respondent police to register a regular case against him rather than harassing him in the guise of investigation.

With the above observation, this petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gms

To

- 1.The Commissioner of Police
Office of the Commissioner of Police
Vepery, Chennai 07.01.2016
- 2.The Assistant Commissioner of Police
St.Thomas Mount
Chennai 16.
- 3.The Inspector of Police
S-11 Tambaram Police Station
West Tambaram, Chennai 45.
- 4.The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.R.John Sathyan, Advocate, S.R.No.33777

Cr1.OP No.28931 of 2015

LRS (CO)
CA(11/07/2016)