

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.19350 of 2016

Vikaramai

.. Petitioner

Vs

The Inspector of Police
Town Police Station
Krishnagiri Taluk District.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent not to harass, interfere with the petitioner and his family members day to day activities.

For Petitioner :Ms.Selvi George

For Respondent :Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

This petition has been filed to direct the respondent not to harass, interfere with the petitioner and his family members day to day activities.

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

3. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that this petitioner is an accused in Crime No.204 of 2016 for the offences under Sections 447 of IPC and the investigation is pending before the respondent police.

4. 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 criterion. 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[a] 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 VI)

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Sub Assistant Registrar

To

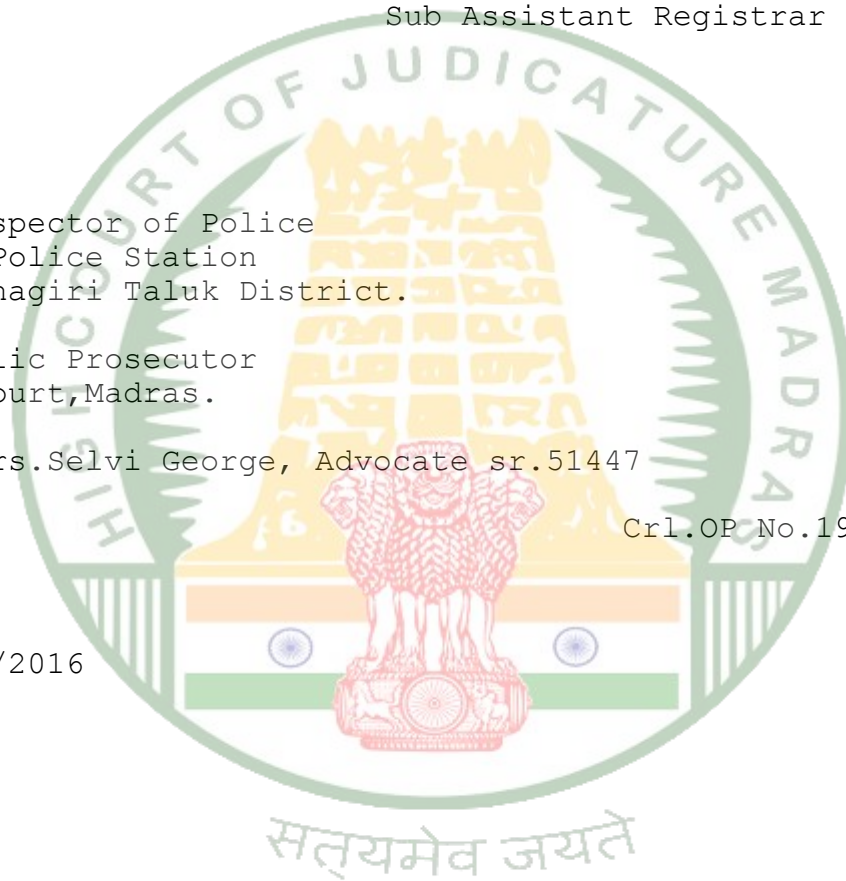
1. The Inspector of Police
Town Police Station
Krishnagiri Taluk District.

2.The Public Prosecutor
High Court,Madras.

+1cc to Mrs.Selvi George, Advocate sr.51447

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