

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.25362 OF 2016

V.P.Sreekanthakumar ... Petitioner
Vs

1. The Commissioner,
Office of the Commissioner of Police,
Vepery, Chennai-600 008.
2. The State Rep. by its
The Inspector of Police
Otteri Police Station,
Kancheepuram. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 2nd respondent not to harass the petitioner.

For Petitioner : M/s.Greetha Senthilkumar

For Respondents : Mr.C.Emalias,

Additional Public Prosecutor

O R D E R

This Criminal Original petition has been filed to direct the 2nd respondent not to harass the petitioner.

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

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that the petitioner is an accused in Crime No.461 of 2016 and that he has also got anticipatory bail by the Court.

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 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 [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. The petitioner is directed to co-operate with the investigation.

Sd/-
Asst.Registrar (J)

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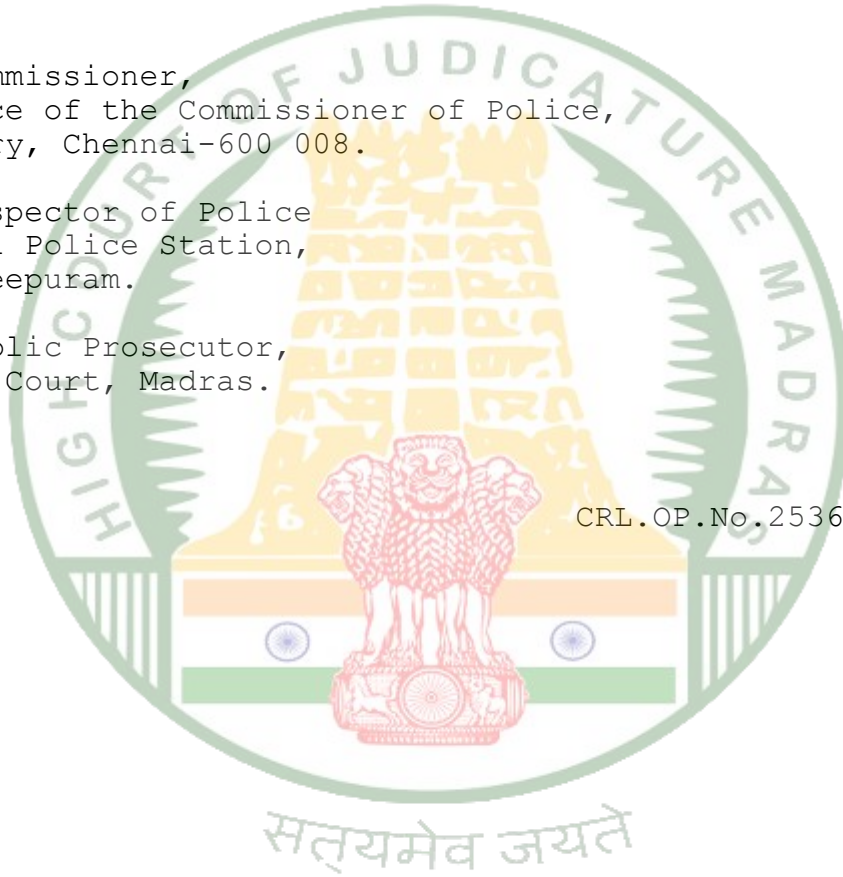
Sub Asst. Registrar

To

1. The Commissioner,
Office of the Commissioner of Police,
Vepery, Chennai-600 008.
2. The Inspector of Police
Otteri Police Station,
Kancheepuram.
3. The Public Prosecutor,
High Court, Madras.

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