



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.06.2017**

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.6530 of 2017

1.V.Vinoth Kumar

2.S.Vijaya Gopal

3.V.Guruvammal

: Petitioners/Aggrieved Persons

Vs.

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

2.The Sub Inspector of Police,
All Women Police Station,
Thirumangalam,
Madurai District.

: Respondents/Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the Sub Inspector of Police, All Women Police Station, Thirumangalam, Madurai District not to harass the petitioners under the garb conducting an enquiry.

For Petitioners

: Mr.Mr.R.Anand

For Respondents

: Mr.T.Mohan

Additional Public Prosecutor

ORDER

When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that a regular case in Crime No.43 of 2017 has been registered against the petitioners.

2. 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 a 'not to harass' order is passed in this case, where a regular FIR has been registered against the petitioner, a notice by the Investigating Officer under Section 41A 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,** reported in **2016 (2) CTC 286.**



Hence, this Criminal Original Petition is dismissed.

SD /-
ASSISTANT REGISTRAR(CO)

WEB COPY

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

- 1.The Superintendent of Police,
Madurai District, Madurai.
- 2.The Sub Inspector of Police,
All Women Police Station,
Thirumangalam, Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Jikr

MAS/JC/SAR2:14.06.2017:2P-4C

Order made in
Crl.O.P. (MD) No.6530 of 2017
05.06.2017