

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.11375 OF 2018

G.R.Kavimani

... Petitioner

Vs

1.The Superintendent of Police
Office of the Superintendent of Police
Nagapattinam District.

2.The Inspector of Police
Nagapattinam Town Police Station
Nagapattinam District.

... Respondents

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

For Petitioner : Mrs.Greetha Senthilkumar

For Respondents : Mrs.Kritika Kamal.P
Government Advocate (Crl.Side)

O R D E R

This petition has been filed seeking for a direction to the second respondent not to harass the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents and perused the materials placed on record.

3. When the matter is taken up for hearing, the learned Government Advocate (Crl. Side) submitted that there are six cases registered against this petitioner in Crime Nos. 333/2017, 338/2017, 339/2017, 340/2017, 348/2017 and 349/2017.

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.

Sd/-

Assistant Registrar(CS VIII)

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Sub Assistant Registrar

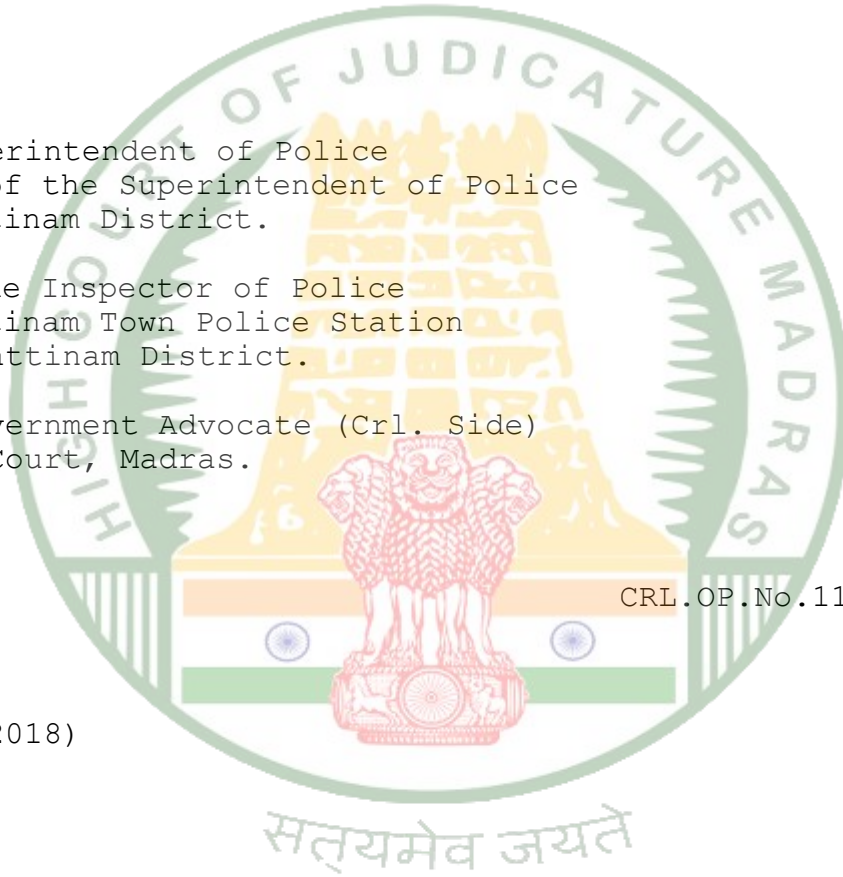
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To

- 1.The Superintendent of Police
Office of the Superintendent of Police
Nagapattinam District.
2. The Inspector of Police
Nagapattinam Town Police Station
Nagapattinam District.
3. The Government Advocate (Crl. Side)
High Court, Madras.

CRL.OP.No.11375 of 2018

SS(CO)
GN(28/04/2018)



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