

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Crl.OP.No.21831 of 2018

R.Hariraja

...Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
O/o.District Superintendent of Police,
Tindivanam.

3. The Inspector of Police,
Mylam Police Station,
Mylam, Villupuram District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the third respondent not to harass the petitioner and his family members in connection with Crime No.not known of 2018 on the file of the third respondent police.

For Petitioner : Mr.K.M.Subraimianiam

For Respondents : M.Prabhavathi
Additional Public Prosecutor

ORDER

This petition has been filed to direct the third respondent not to harass the petitioner and his family members under the guise of enquiry.

2. The learned counsel for the petitioner has submitted that the defacto complainant has already filed a civil suit for partition in O.S.No.31 of 2015 on the file of the Principal Sub-Judge, Tindivanam and that suit is still pending. He further submitted that after filing the said suit, the defacto complaint gave a false complaint before the third respondent and based on the said complaint, the third respondent has unnecessarily harassing the petitioner and his family members and hence he requests to direct the third respondent not to harass the

petitioner under the guise of enquiry.

3. The learned Additional Public Prosecutor has submitted that a complaint was received two months ago and enquiry is still pending and only for enquiry purpose, the petitioner was called and he was not subjected to any harassment.

4. If the complaint discloses any cognizable offence, the third respondent has to register a case and proceed in accordance with law. In case, the complaint does not disclose any cognizable offence, he can conduct an enquiry with the complainant and if the said enquiry discloses any cognizable offence, then he has to register a case and proceed in accordance with law. Instead of doing so, he should not unnecessarily harass the petitioner.

5. With the aforesaid observations, this petition is disposed of.

Sd/-

Assistant Registrar(CS-V)

// True Copy//

Sub Assistant Registrar

vv

To

1. The Superintendent of Police,
Villupuram District
Villupuram.
2. The Deputy Superintendent of Police,
O/o.District Superintendent of Police,
Tindivanam.
3. The Inspector of Police,
Mylam Police Station,
Mylam, Villupuram District.
4. The Public Prosecutor,
High Court, Madras.

+1cc To Mr.K.M.Subramanian, Advocate,sr.no.62409

Cr1.OP.No.21831 of 2018

RMP (27/09/2018)