

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Crl.OP.No.21878 of 2018

K.Nagarajan

...Petitioner

Vs.

State Rep by,
The Inspector of Police,
M-1, Madhavaram Police Station,
Chennai-600 068.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, prayed to direct the respondent police not to harass the petitioner without any complaint.

For Petitioner : M/s.S.Kanmani

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent not to harass the petitioner.

2. The learned counsel for the petitioner has submitted that the petitioner is a District Secretary in a political party namely Bahujan Samaj Party. He further submitted that the petitioner has posted a message in the Face Book that around the Madhavaram area, the Kanja powders being selling and no action being taken against the offenders. He further submitted that based on the said message, the respondent instead of taking action to curtail the aforesaid illegal activities, he is harassing the petitioner and compelling the petitioner to appear before him without issuing any summons.

3.The learned Additional Public Prosecutor has submitted that since the petitioner has posted the message in the Face Book stating that in and around Madhavaram area, Kanja powders being selling, and only for getting further information, the petitioner was called and he was not subjected to any harassment.

4. Considering the aforesaid submissions, if the said message is treated as complaint, it is open to the respondent to call the petitioner by issuing summons for ascertaining the veracity of said complaint and if the said enquiry reveals any cognizable offence, then he has to register a case and proceed in accordance with the law. Without following the aforesaid procedure, the respondent should not harass the petitioner unnecessarily.

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

vv

Sd/-

Assistant Registrar(CS-CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police,
M-1, Madhavaram Police Station,
Chennai-600 068.
 2. The Public Prosecutor, High Court, Madras.
- +1cc to M/s.S.Kanmani, Advocate S.R.No.63063

KR/16/10/18

Cr1.OP.No.21878 of 2018

सत्यमेव जयते

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