

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CrI.OP.No.22390 of 2018

Thirugnanam

...Petitioner

Vs.

1. State

Rep. By the Inspector of Police (North)
Lawspet Police Station
Pondicherry

2. Parvathy

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents not to harass the petitioner by appreciating the facts and circumstances of the case.

For Petitioner : Ms.G.Keerthana
For Respondents : Ms.M.Prabhavathi
Additional Public Prosecutor,
for R1

ORDER

This petition has been filed to direct the first respondent not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner has submitted that the second respondent has filed a Civil Suit in O.S.No. 152 of 2012 on the file of the III Additional District Judge Puducherry, in which, the preliminary decree was passed for partition. She further submitted that against the said preliminary decree, the petitioner has filed an appeal in A.S.No.308 of 2018 before this Court in which interim stay has been granted and that being so, the second respondent gave a false complaint before the first respondent and based on the same, the first respondent is harassing the petitioner.

3. The learned Additional Public Prosecutor has submitted that the complaint is pending for enquiry 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 first 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(CCC)

//True Copy//

Sub Assistant Registrar

vv/vsn

To

1. The Inspector of Police (North)
Lawspet Police Station
Pondicherry

2. The Public Prosecutor,
High Court, Madras.

+lcc Mr.R.Jayaprakash, Advocate sr.no.65325

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