

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Crl.OP.No.22632 of 2018

J. Srinivasan

...Petitioner

Vs.

1. State rep. by
The Superintendant of Police,
Vilupuram District,
Vilupuram.
2. The Inspector of Police,
J-7, All Women's Police Station,
Vilupuram District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to issue appropriate direction to the respondents not to harass the petitioner and his family members.

For Petitioner : Mr. C.Sathiyakumar
For Respondents : Ms.M.Prabhavathi
Additional Public Prosecutor

ORDER

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

2. The learned counsel for the petitioner has submitted that due to family dispute, the petitioner's wife has lodged a false complaint and based on the same, the second respondent is harassing the petitioner.

3.The learned Additional Public Prosecutor has submitted that after receipt of the complaint, preliminary enquiry has been conducted and the same was closed on 29.06.2018 and hence, the question of harassing the petitioner does not arise.

4.The learned counsel for the petitioner by way of reply submitted that after closing the said complaint, the second respondent on 30.08.2018 again called the petitioner and harassing him and hence suitable directions may be issued to

the second respondent.

4. Considering the aforesaid submissions, if any complaint is received against the petitioner, the second respondent has to peruse the said complaint and if the said complaint discloses any cognizable offence, she has to register a case and proceed in accordance with law. In case, the said complaint does not disclose any cognizable offence, she can enquire with the complainant and thereafter if she is satisfied that a prima facie case is made out, then she has to register a case and proceed in accordance with law. Instead of doing so, she should not unnecessarily harass the petitioner.

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

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

vv/vsn

To

1. The Superintendent of Police,
Vilupuram District,
Vilupuram.
2. The Inspector of Police,
J-7, All Women's Police Station,
Vilupuram District,
3. The Public Prosecutor,
High Court, Madras.

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AD(CO)
SP(01/11/2018)

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