

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.19734 of 2018

M/s.V.Lounge,
rep. by Mrs.D.Veena Jain

.. Petitioner

-vs-

1.The Commissioner of Police,
No.132, EVK Sampath Road,
Vepery, Chennai-600 007.

2.The Deputy Commissioner of Police,
Triplicane Range,
O/o.Chintadaripet Police Station,
Chintadaripet, Chennai.

3.The Assistant Commissioner of Police,
O/o.F-3, Nungambakkam Police Station,
Nungambakkam, Chennai-600 034.

4.The Inspector of Police,
F-3, Nungambakkam Police Station,
Nungambakkam, Chennai-600 034. ... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the respondents, their men, agents from interfering with the peaceful conduct of business of the petitioner in the name and style of M/s.V Lounge at No.12, New No.6, 1st floor, College Road, Nungambakkam, Chennai-600 034.

For Petitioner :: Mr.G.Sankaran

For Respondents:: Mr.I.Sathish,
Additional Government Pleader

ORDER

This writ petition has been filed by the Managing Partner of M/s.V Lounge forbearing the respondents from interfering with the peaceful conduct of their business in the name and style of

M/s.V Lounge at No.12, New No.6, 1st floor, College Road, Nungambakkam, Chennai-600 034.

2.Learned counsel for the petitioner drawn the notice of this Court to an earlier order passed by this Court dated 06.02.2018 in CrI.O.P. No.3409 of 2018, wherein this Court allowed the same following the guidelines which are given as under:

- a)While summoning any persons named in the complaint or any witness to the incident complained of, the police officer shall summon such persons through a written summon under Section 160 Cr.P.C., specifying a particular date and time for appearing before them for such an enquiry/investigation.
- b)The minutes of the enquiry shall be recorded in the general diary/station diary/daily diary of the police station.
- c)The police officer shall refrain himself or herself from harassing persons called upon for enquiry/investigation.
- d)The guidelines stipulated for preliminary enquiry or registration of FIR by the Hon'ble Supreme Court in Lalita Kumari vs. Government of Uttar Pradesh and others (2014 (2) SCC (1) shall be strictly adhered to.

Learned counsel for the petitioner would further submit that in spite of earlier direction issued against the Commissioner of Police and the Inspector of Police, without following the same, still they are visiting the petitioner's restaurant in the guise of inspection and harassing the staff, customers and Manager. If the same is continued, the business of the petitioner would be put in great irreparable loss.

3.Mr.T.Sundaramoorthy, the Inspector of Police, F-3-Nungambakkam Police Station, Nungambakkam, Chennai, the fourth respondent herein, who is present before this Court would submit that the allegation made by the petitioner may not be correct since the petitioner's restaurant remains closed for the past three months. It is also stated that the respondent police never visited the petitioner place.

4.In view of the submission made by the fourth respondent, this writ petition is disposed of directing the respondents to follow the above said guidelines issued on 06.02.2018 passed in CrI.O.P. No.3409 of 2018. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police,
No.132, EVK Sampath Road,
Vepery, Chennai-600 007.

2.The Deputy Commissioner of Police,
Triplicane Range,
O/o.Chintadaripet Police Station,
Chintadaripet, Chennai.

3.The Assistant Commissioner of Police,
O/o.F-3, Nungambakkam Police Station,
Nungambakkam, Chennai-600 034.

4.The Inspector of Police,
F-3, Nungambakkam Police Station,
Nungambakkam, Chennai-600 034.

+1cc to Mr.G.Sankaran, Advocate Sr.52671
+1cc to the Government Pleader Sr.53244

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srg 7/8/2018



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