

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.22904 of 2018

1.N.Balaji
2.T.K.Nagaraja Gurukul Alias Bhavanidasan
3.T.K.Dharmeswaran
4.T.K.Vishwanathan
5.T.K.Chandrasekaran
6.N.Praveen
7.D.Sivakumar
8.V.Vignesh ...Petitioners/Accused

Vs.

State rep.by
The Inspector of Police,
T10, Thirumullaivoyal P.S.,
Chennai - 600 062.1st Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondent not to harass the petitioner herein.

For Petitioner :Mr.M.Aravind Subrmaniam
For Respondent :M/s.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 the respondent has registered a case against the petitioner in Crime No.357 of 2018 and in that case, the petitioner got anticipatory bail from this Court on 09.04.2018. He further submitted that the petitioners herein have filed a suit in O.S.No.504 of 2015 on the file of the District Munsif Court, Ambattur for declaration and injunction and the same is still pending. Under the said circumstances, the defacto complainant has lodged a false complaint and based on the same, the respondent has registered a case under Sections 448, 406, 420 and 506(ii) IPC against the petitioners herein. He further submitted

that the petitioners herein have already obtained Anticipatory Bail as per the order passed by this Court in CrI.O.P.No.10256 of 2018 dated 09.04.2018 and even thereafter, the respondent is unnecessarily harassing the petitioners and hence he requests to direct the respondent/police not to harass the petitioners under the guise of enquiry.

3. The learned Additional Public Prosecutor has submitted that only for investigation purpose, the petitioners were called and they were not subjected to any harassment.

4. Considering the aforesaid submissions, if the appearance of the petitioners is necessary for investigation purpose, the respondent can summon them by fixing the date and time and examine them. Instead of doing so, he should not unnecessarily harass them.

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

Sd/-

Assistant Registrar(CS ii)

//True Copy//

Sub Assistant Registrar

vsa/vv2

To

1.The Inspector of Police,
T10, Thirumullaivoyal P.S.,
Chennai - 600 062.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Aravind Subrmaniam,Advocate SR.No.66382
(26/09/18)

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ASK(25/09/2018)