

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.23062 of 2018

1.A.L.Ramachandra
2.Jayanthi Ramachandra .. Petitioners

Vs

The State rep. by Inspector of Police,
D-4 Kuniamuthur Police Station (L&O),
Coimbatore 641 008 ... Respondent

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

For Petitioners : Mr.Aravind Subramaniam
For Respondent : Mr.C.Raghavan, GA

O R D E R

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

2.Heard the learned counsel for the petitioners;
the learned Government Advocate and perused the materials
placed on record.

3.When the matter is taken up for hearing, the
learned Government Advocate submitted that on the
complaint lodged by one Kamalanand, a regular case in
Crime No.598 of 2018 is pending against the petitioners on
the file of respondent.

4.Under such circumstances, once a regular FIR has
been registered, the question of 'not to harass' will not
arise, because the expression 'harassment' is so
subjective that it cannot be encapsulated in an objective
criterion. If 'not to harass' order is passed in this
case, where a regular FIR has been registered, a notice by
the Investigating Officer u/s 41-A of Cr.P.C.
can also be construed as an harassment. This Court has
dealt with this aspect at length and passed a detailed
order in the case of Dorand and Others Vs the
Superintendent of Police, Nagercoil, Kanyakumari District

and another in CrI.O.P.[MD] No.1727 of 2016 decided on 01.02.2016.

Hence, this petition is dismissed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

gya

To

1.The Inspector of Police,
D-4 Kuniamuthur Police Station (L&O),
Coimbatore 641 008.

2.The Public Prosecutor, High Court, Madras.

+1cc to Mr.Aravind Subramaniam , Advocate SR.No. 68933

CrI.O.P.No.23062 of 2018

ASK(12/10/2018)



WEB COPY