

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.28153 of 2018

1.Ramaiah
2.Ganpathraj
3.Babu

... Petitioners

Vs.

The Inspector of Police (Crime),
G5, Secretariat Colony Police Station,
Chennai.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, directing the respondent not to harass the petitioners to secure the ends of justice.

For Petitioners : Mr.K.Nagarajan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

The petitioner has been summoned by the respondent police based on the complaint given by one Murugesan. The summon has been issued to the petitioner during the month of April and also in the month of November 2018.

2. It is the case of the petitioner that earlier complaint was given in the year 2016 and an enquiry was conducted and closed. On the very same cause of action the defacto complainant is again and again giving complaint against the petitioner and the respondent police is repeatedly calling the petitioner for enquiry. The petitioner has also brought to the notice of this Court, an order passed by this Court in Crl.O.P.No.24757 of 2016, wherein this Court has directed the respondent not to harass the petitioner.

3. The earlier complaint given against the petitioner was enquired and closed and the same is also evident from the order passed by this Court in Crl.O.p.No.19766 of 2016 dated 08.09.2016. It is also seen that the very same petitioners

approached this Court by filing Crl.O.P.No.12677 of 2018 and sought for anticipatory bail and it was represented on the side of the respondent that a preliminary enquiry has been conducted and it has been closed.

4. It is clear from the records that right from the year 2016 onwards, the petitioners were repeatedly called for enquiry and every time when the petitioner approached this Court by filing anticipatory bail, a representation has been made to the effect the complaint has been enquired and it has been closed. The enquiry can never be conducted by the respondent police for two long years. That itself shows that the respondent police is not satisfied with the nature of complaint given by the defacto complainant and for some reasons, the respondent police is calling the petitioner and harassing him in the name of enquiry. Therefore, left with no other option, the petitioner filed this petition before this Court.

5. This Criminal Original Petition is disposed of with the direction to the respondent police not to call the petitioner for an enquiry and harass the petitioner.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

lpp/vsa

To

1. The Inspector of Police (Crime),
G5, Secretariat Colony Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Nagarajan, Advocate, S.R.No. 82786

CRL.O.P.No.28153 of 2018

KK (CO)
GN (21/12/2018)