



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.11123 of 2018

and

W.M.P.No.10180 of 2018

R.Jeyachandran

... Petitioner

vs.

1. The Superintendent of Police,
Tirunelveli,
Tirunelveli District.

2. The Assistant Superintendent of Police,
Tirunelveli,
Tirunelveli District.

3. The Inspector of Police,
Sivagiri Police Station, Sivagiri,
Tirunelveli District.

4. N.A.R.Krishnamoorthy Raja

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to directing the respondents 1 to 3 not to harass the petitioner by interfering in the civil dispute between the petitioner and the fourth respondent herein.

For Petitioner : Mr.R.J.karthick

For Respondents : Mr.M.Murugan
1 to 3 Government Advocate

O R D E R

In the present case in hand, the petitioner has complained of harassment by the police based on a complaint and seeks for this Court's intervention by way of a direction. The term 'harassment' by itself has a very wide meaning and hence, what could be harassment to the petitioner may not be the same to the police officer.

2.In order to circumvent such situations, the following guidelines are issued:

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.

3. With the above observations and direction, the Writ Petition stands disposed of. No Costs. Consequently connected miscellaneous petition is closed.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
2. The Assistant Superintendent of Police,
Tirunelveli,
Tirunelveli District.
3. The Inspector of Police,
Sivagiri Police Station,
Sivagiri,
Tirunelveli District.

+1CC to Mr.R.J.Karthick Advocate in SR.No.65427,
+1CC to Special Government Pleader in SR.No.65644.

AAV
DS/SV/MMS/SAR-4 : 2P/6C

W.P. (MD) No.11123 of 2018
16.05.2018