



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.10.2018
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
CrI.O.P.(MD)No.19032 of 2018

WEB COPY

Eraniel Sarvodaya Sangh
Khadi & V.I.P.C., Kasturba Kendram
Pacodu Colony, Kuzhithurai-Post,
represented by its Manager,
G.Sri Kumar

... Petitioner

Vs.

1. The Superintendent of Police
D.P.O., Nagercoil-629 001,
Kanyakumari District.

2. The Inspector of Police,
Marthandam Police Station,
Marthandam-Post, Kanyakumari District.

3. The Sub Inspector of Police,
Marthandam Police Station,
Marthandam-Post, Kanyakumari District.

4. Dharmaraj

5. Sukinsingh ... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the third respondent not to harass or ill-treat the petitioner on the guise of enquiry in connection with a civil dispute in O.S.No.116 of 2018 at the instance of the fourth and fifth respondents.

For Petitioner

: Mr.V.H.S.Prathap

For R1 to R3

: Mr.R.Anandharaj
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the third respondent not to harass or ill-treat the petitioner on the guise of enquiry in connection with a civil dispute in O.S.No.116 of 2018 at the instance of the fourth and fifth respondents.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Perused the materials placed on record.

4. When the matter is taken up for hearing the learned Additional Public Prosecutor reports that the petitioner is an accused in Crime No.48 of 2018 and investigation is pending before the second respondent police.

5. Under such circumstances, once the regular FIR has been registered, the question of "Not to harass" will not arise. Any direction issued by this Court at this stage will amount to interfering with the investigation conducted by the respondent police.

6. Hence, the Criminal Original petition is dismissed.

Sd/-

Assistant Registrar (ADU)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Superintendent of Police
D.P.O., Nagercoil-629 001,
Kanyakumari District.
2. The Inspector of Police,
Marthandam Police Station,
Marthandam-Post, Kanyakumari District.
3. The Sub Inspector of Police,
Marthandam Police Station,
Marthandam-Post, Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.V.H.S.Prathap, Advocate Sr.No.93060

TSG

KM-VB/PM/SAR3/10.12.2018/2P/6C

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