

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos. 2797 & 2799 of 2019

Shriram City Union Finance Ltd., rep by its
Branch Manager Mr.Vignesh,
S/o.M.Dakshinamoorthy,
Mayiladuthurai,
Nagapattinam District.

...Petitioner in
Crl.O.P.No. 2797 of 2019

Shriram City Union Finance Ltd., rep by its
Branch Manager Mr.S.Mahendran,
S/o.K.Subramanian,
Kuthalam,
Nagapattinam District.

...Petitioner in
Crl.O.P.No. 2799 of 2019

Vs.

1. The State rep. by
The Superintendent of Police,
District Police Office,
Nagapattinam District,
Nagapattinam.
2. The Deputy Superintendent of Police,
District Crime Branch,
Nagapattinam.
3. The Inspector of Police
District Crime Branch,
Nagapattinam.

...Respondents

COMMON PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to pass appropriate direction as against the respondents pertaining to Crime No.14 of 2013 on the file of the 3rd respondent as not to harass the Petitioner Company in any manner by illegal means and other methods.

For Petitioner : Mr.N.Palanivel
in both Crl.O.Ps

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor
in both Crl.O.Ps

COMMON ORDER

This petition has been filed seeking to pass appropriate direction as against the respondents pertaining to Crime No.14 of 2013 on the file of the 3rd respondent as not to harass the Petitioner Company in any manner by illegal means and other methods.

2. Heard the learned Counsel for the petitioners and learned Additional Public Prosecutor for the respondent police.

3. The learned counsel appearing for the petitioners submits that the respondent police harassed the petitioner under the guise of enquiry.

4. The learned Additional Public Prosecutor appearing for the respondent police submits that the police called the petitioners for enquiry in the pending FIR in Crime No.14 of 2013. The case where the FIR is pending against the petitioners, there is no scope for this Court to entertain the petition under Section 482 of Cr.P.C., under the caption "Not to harass".

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. Hence, this Criminal Original petition is dismissed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

ssr/rpl
To

1. The Superintendent of Police,
District Police Office,
Nagapattinam District,
Nagapattinam.
2. The Deputy Superintendent of Police,
District Crime Branch,
Nagapattinam.
3. The Inspector of Police,
District Crime Branch,
Nagapattinam.

4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.Nos. 2797 & 2799 of 2019

SP(04/03/2019)