

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No. 2747 of 2019

Silambarasan

...Petitioner/Accused

Vs.

State Rep by.,
Inspector of Police,
District Crime Branch,
Krishnagiri District.

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent to not to harass the petitioner in the name of enquiry and further direct the respondent to fix a particular final day for the appearance of the petitioner.

For Petitioner : Mr.T.Elumalai

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

ORDER

This petition has been filed seeking to direct the respondent to not to harass these petitioner in the name of enquiry and further direct the respondent to fix a particular final day for the appearance of the petitioner.

2. Heard the learned Counsel for the petitioner 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 petitioner for enquiry in the pending FIR in Crime No.3 of 2019. The case where the FIR is pending against the petitioner, 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr/rpl

To

1. The Inspector of Police,
District Crime Branch,
Krishnagiri District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Elumalai, Advocate sr.no.11054

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nr 20/03/2019



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