

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.3723 of 2019

- 1.Rajappa
- 2.Achamma
- 3.Anjika

... Petitioners

Vs

- 1.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
- 2.The Deputy Superintendent of Police,
Harur,
Dharmapuri District.
- 3.The Inspector of Police,
Harur Police Station,
Dharmapuri District.

... Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents not to harass the petitioners.

For Petitioners : Mr.C.Prabakaran

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

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent police not to harass the petitioners.

2.It is seen from the records that the petitioners are the father, mother and brother of the accused namely Subramani. It seems that love affair between the said Subramani and Kalaiarasi, daughter of Palani. They were eloped. The father of the Kalaiarasi lodged a complaint before the third respondent police and registered a case in Crime No.578 of 2018 for an offence under Section 363 IPC.

3.The learned Counsel for the petitioners would submit that the petitioners are no way connected with the case and they are innocent. The respondent police have harassed the petitioners in the guise of enquiry. Hence, the petitioners are before this Court by filing the present petition.

4.The learned Additional Public Prosecutor appearing for the respondents police submits that the police called the petitioners for enquiry in the pending FIR in Crime No.578 of 2018. 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. Considering the facts and circumstances of the case and in view of the submission made by the learned counsel for the petitioner, this Court is inclined to entertain this petition, the respondents police are directed not to harass the petitioners in the name of guise. Hence, this Criminal Original Petition is ordered accordingly.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rpl/ssr
To

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

2.The Deputy Superintendent of Police,
Harur,
Dharmapuri District.

3.The Inspector of Police,
Harur Police Station,
Dharmapuri District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to M/S.C.Prabakaran, Advocate sr.14244

srg 03/04/2019

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