

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.4732 of 2019

B.Dhanalakshmi

...Petitioner

Vs.

State Rep. by
Inspector of Police,
W-1, All Woman Police Station,
Thousand Lights,
Chennai.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents not to harass the petitioner and restrain the respondent based on the complaint given by the defacto complainant dated 18.09.2018.

For Petitioner : Mr.K.V.Ramesh
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

This petition has been filed seeking direction to the respondent police not to harass the petitioner in connection with Crime No.6 of 2018 pending on the file of Respondent Police.

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

3. The learned counsel appearing for the petitioner would submit 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 an enquiry in the pending FIR in Crime No.6 of 2018, registered for the offences punishable under Section 366 of IPC and Section 6 of the Protection of Child from Sexual Offences Act, 2012 and submitted that the investigation is still pending. He further submitted that 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.

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Internet:Yes
Index:Yes/No
Speaking/Non speaking order
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To

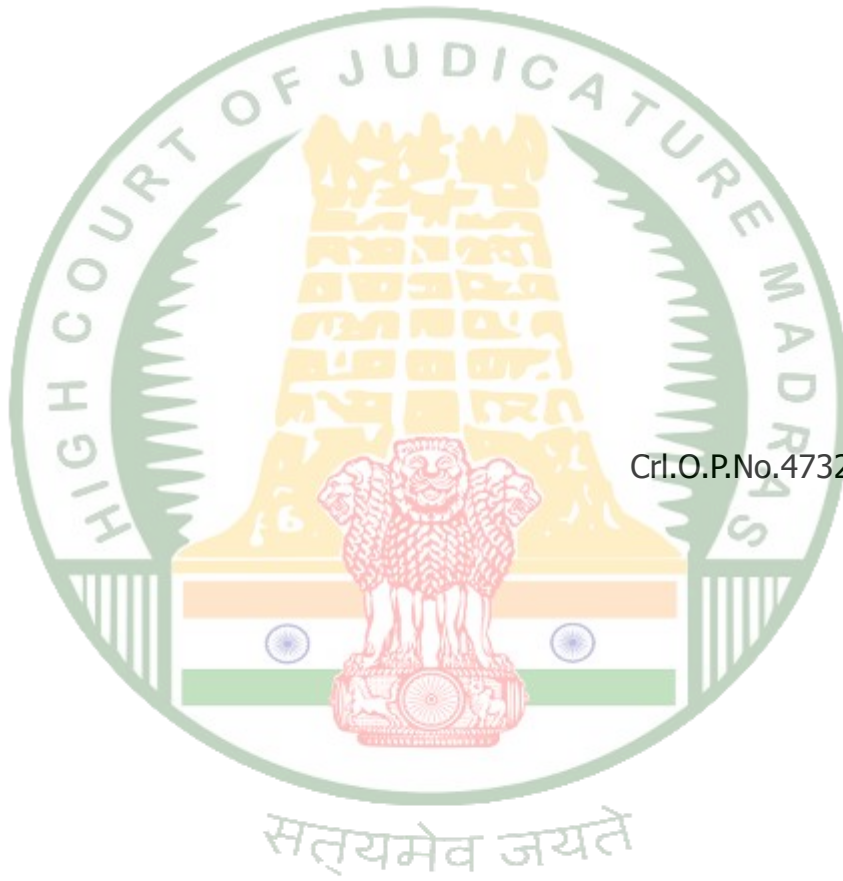
- 1.The Inspector of Police,
Maruvathur Police Station,
Maruvathur,
Kunnam Taluk,
Perambalur District.
- 2.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN,J.,

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