

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4340 of 2019

Sargunan
rep.by his Mother
Maheswari

...Petitioner

Vs.

State Rep. by,
The Inspector of Police,
Srimushnam Police Station,
Cuddalore District.
Cr.No.306 of 2018.

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C. praying, to direct the respondent Police not to harass the petitioner namely Sargunan, son of Kennedy, aged about 17 years.

For Petitioner : Mr.S.Saravana Kumar

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

ORDER

This Criminal Original Petition has been filed seeking direction to the respondent police not to harass these petitioner in connection with Crime No.306 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 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.306 of 2018. 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.

vv2/rpl

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Srimushnam Police Station,
Cuddalore District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Saravana Kumar, Advocate, SR.No.16257

सत्यमेव जयते

Cr1.O.P.No.4340 of 2019

Kak (25/03/2019)

WEB COPY