

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4064 of 2019

J.Thangaiya

...Petitioner

Vs.

1.The Commissioner of Police,
O/o. The Commissioner of Police,
Vepery, Chennai.

2.State by Inspector of Police,
G-7 Chetpet Police Station,
Chennai.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 2nd respondent not to harass the petitioner.

For Petitioner : Mr.S.Chandhan Babu

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

ORDER

This petition has been filed seeking direction to the second respondent police not to harass these petitioner in connection with Crime No. 35 of 2019 pending on the file of Respondent Police.

2. Heard the learned Counsel for the petitioner and learned Additional Public Prosecutor for the respondents 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 respondents police submits that the police called the petitioner for enquiry in the pending FIR in Crime No. 35 of

2019. 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.

mpa/lpp

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Commissioner of Police,
O/o. The Commissioner of Police,
Vepery, Chennai.
- 2.The Inspector of Police,
G-7 Chetpet Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Chandhan Babu, Advocate, SR.No.14342

Kak(25/03/2019)

सत्यमेव जयते

Cr1.O.P.No.4064 of 2019

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