

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.04.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
CRL.O.P.No.9925 of 2019

1.R.Karpagavalli

2.Nisha

...Petitioners

Vs.

1.The Deputy Commissioner of Police,
Madhavaram,
Chennai - 600 060.

2.The Inspector of Police,
M-3, Puzhal Police Station,
Puzhal,
Chennai - 600 066.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 2nd respondent not to harass the petitioners by appreciating the facts and circumstances of the case.

For Petitioners: Mr.K.Suthan

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

ORDER

The petition has been filed seeking direction to the second respondent police not to harass the petitioners by appreciating the facts and circumstances of the case.

2.Heard, Mr.K.Suthan, learned Counsel appearing for the petitioners and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

3.The learned Counsel appearing for the petitioners submits that the respondent police harassed the petitioners 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.114 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.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Deputy Commissioner of Police,
Madhavaram,
Chennai - 600 060.

2.The Inspector of Police,
M-3, Puzhal Police Station,
Puzhal,
Chennai - 600 066.

3.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.R.Jayabalan, Advocate sr.38288

CRL.O.P.No.9925 of 2019

ppa(co)
nr 03/07/2019