

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.No.26480 of 2019
and CRL.M.P.Nos.141863 & 14186 of 2019

Muthamizhvannan

...Petitioner

Vs.

1. The State, represented by
Inspector of Police,
All Women Police Station,
Villiyannur,
Puducherry,
Puducherry State.
2. Rajasri
3. The Inspector of Police,
Nettapakkam Police Station,
Puducherry.Respondents
[R3 impleaded is suo-motu vide this Court Order
dated 03.10.2019 made in Crl.O.P.No.26480 of 2019]

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records made in FIR Crime No.2 of 2019 on the file of Inspector of Police, All Women Police Station, Villiyannur, Puducherry State the 1st respondent herein and quash the same.2

For Petitioner : Mr.R.Sankarasubbu

For Respondents: Mr.D.Bharathachakravathy
Public Prosecutor (Puducherry) for R1&
also suo-motu Impleaded Respondent R3

O R D E R

The learned counsel for the petitioner submitted that the investigation in Crime No.2 of 2019 pending before the 1st respondent herein has now been transferred to the Inspector of Police, Nettapakkam Police Station. The Inspector of Police, Nettapakkam Police Station is suo-motu impleaded as party respondent.

2.The learned counsel for the petitioner submitted that they are willing to co-operate with the investigation and that the respondent in the case of investigation may not harass the petitioner. This Court in various orders have observed the manner in which an enquiry / investigation requires to be made and that the respondent police cannot cause any act that may amount to harassment. The following observations were made in those orders:

a)While summoning any persons named in the complaint or any witness to the incident complained of, the police officer shall summon such persons through a written summon under Section 160 Cr.P.C., specifying a particular date and time for appearing before them for such an enquiry/investigation.

b)The minutes of the enquiry shall be recorded in the general diary/station diary/daily diary of the police station.

c)The police officer shall refrain himself or herself from harassing persons called upon for enquiry/investigation.

d)The guidelines stipulated for preliminary enquiry or registration of FIR by the Hon'ble Supreme Court in Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)] shall be strictly adhered to.

3.In the light of the above observations, the impleaded respondent herein shall endeavor to complete the investigation in Crime No.02 of 2019 within a period of eight weeks from the date of receipt of a copy of this order. During the course of enquiry the impleaded respondent herein shall adhere to the above observations made in this order.

4.Accordingly, this criminal original petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Inspector of Police,
All Women Police Station,
Villiyannur,
Puducherry,
Puducherry State.

2. The Inspector of Police,
Nettapakkam Police Station,
Puducherry.

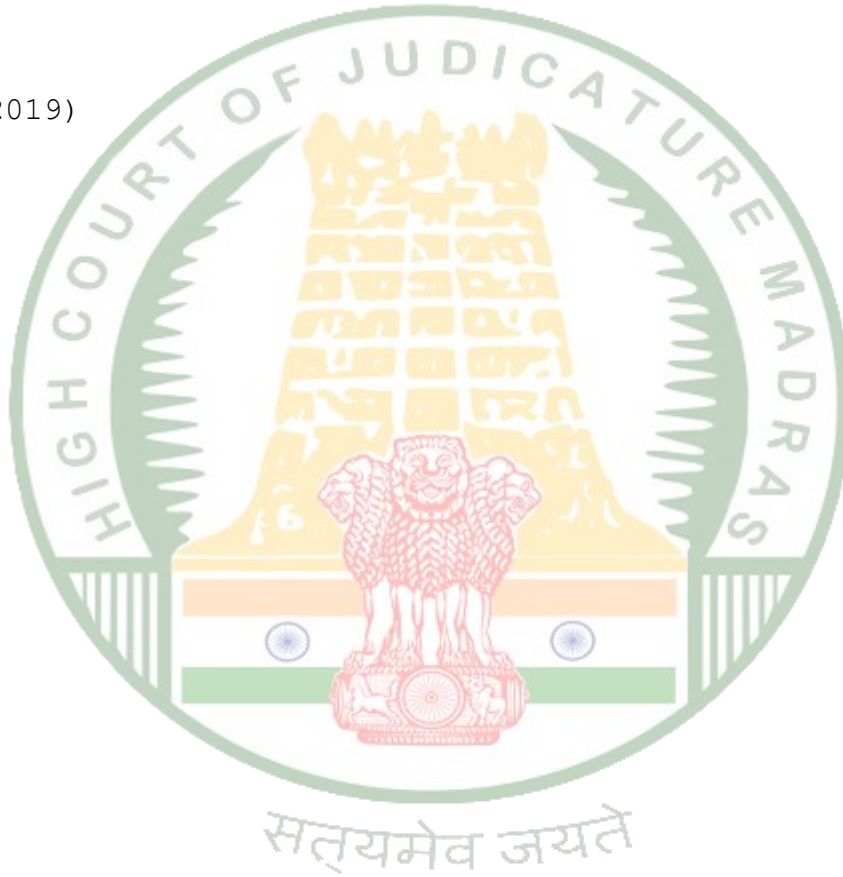
3. The Public Prosecutor,
Puducherry.

+1cc to Public Prosecutor(Pondicherry) SR.85551

CRL.O.P.No.26480 of 2019
and CRL.M.P.Nos.141863 & 14186 of 2019

(CO)

CB(08/11/2019)



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