

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.28623 of 2019

and

W.M.P.No.28382 of 2019

Baskaran

...Petitioner

Vs.

1.The Inspector of Police,
B-1, Sivakanchi Police Station,
Kancheepuram.

2.Sathianarayanan

3.Shanthi

4.KUmaru

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, issue the writ or any other order direction in the nature of writ of Mandamus forbearing the 1st respondent in any manner interfering in the Civil Dispute pending civil suit at Principal District Munsif Court, Kancheepuram, in O.S.No.117 of 2006 between the petitioner with the 2nd respondent.

For Petitioner : Mr.S.Venkatesh

For R1 : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

The grievances of the petitioner herein is that in the guise of an enquiry, the first respondent police are interfering in the Civil dispute pending between the petitioner and respondents No.2 to 4. In cases of this nature, this Court had been repeatedly passing order as to the procedures for conduct of such an enquiry and safe guarding the persons like the petitioner herein, with the following observations:

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 summons 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.

2 In the light of the above observations and directions, this Criminal Original Petition is closed. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

sbn/klt

To

1.The Inspector of Police,
B-1, Sivakanchi Police Station,
Kancheepuram.

2.The Public Prosecutor,
High Court, Madras. सत्यमेव जयते

+1cc to Mr.S.Venkatesh, Advocate SR.No.83812

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MR(CO)
GMY(15/11/2019)