

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.1772 of 2020

S.Dhanasekar

... Petitioner

-vs-

State rep by its
The Inspector of Police,
TIW-North,
Madhavaram,
Chennai-600 060.
(Crime No.147/Gnt-2 of 2019)

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent not to harass the petitioner.

For Petitioner : Mr.K.Janarthanan

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

ORDER

This Criminal Original Petition has been filed to direct the respondent police not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner has submitted that the petitioner is working as an Auto Driver. He further submitted that on 17.11.2019, the respondent police went to the petitioner's house and took him to the police station and asked about the driving licence and also enquired with regard to an accident of one Pijukumar in Crime No.147/GNT-2/2019 under Sections 279, 338 of IPC and 134(a) (b) of M.V.Act. He further submitted that the respondent police has taken the petitioner's auto on 21.11.2019 and subsequently, the petitioner came to know that the section of FIR was altered in to Section 279 and 304-A of IPC. He further submitted that the petitioner has strongly explained the respondent police that he has not made the said accident, but, the respondent police has tortured the petitioner and also compelled him to admit the offences.

3. Per Contra, the learned Additional Public Prosecutor who is appearing for the respondent has submitted that an FIR has been registered in Crime No.147/GNT-2/2019 under Sections 279, 338 of IPC and 134(a)(b) of M.V.Act against the petitioner. Since the FIR has been registered against the petitioner, only for investigation purpose, the petitioner was called and he was not subjected to any harassment. He further denied the allegation that the respondent has compelled the petitioner to admit the case as so far charge sheet not filed.

4. Since already an FIR has been registered against the petitioner, the contention of the petitioner that the respondent is harassing him cannot be accepted. This Court does not find any merit in this petition. Accordingly, this Criminal Original petition is dismissed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Vv
To

1. The Inspector of Police,
TIW-North,
Madhavaram,
Chennai-600 060.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Janarthanan, Advocate Sr.7359

CRL.O.P.No.1772 of 2020

gp[col]
srg 13/03/2020

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