

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.01.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.OP.No.1756 of 2020

C.Athimuthu

.. Petitioner

-vs-

1.The Inspector of Police,
Kanakamachatram Police Station,
Thiruvallur District.

2.The Deputy Superintendent of Police,
Thirutani,
Thiruvallur District.

3.The Superintendent of Police,
Thiruvallur District.

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents not to harass the petitioner under the guise of enquiring or investigating a civil dispute, which has been ceased off by the 1st Additional District Court, Thiruvallur in O.S. No.56 of 2019 and to act only in accordance with law.

For Petitioner : Mr.C.A.Thiyagarajan

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

ORDER

This petition has been filed to direct the respondent not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner has submitted that based on the complaint given by the petitioner's wife viz., M.Athi Rathinam, the respondent police is unnecessarily harassing the petitioner.

3. The learned Additional Public Prosecutor has submitted that since the wife of the petitioner has lodged a complaint against the petitioner before the first respondent and only for enquiry purpose in the said complaint, he was called and he was not subjected to any harassment.

4. If the complaint discloses any cognizable offence, the respondent has to register a case. In case, the said complaint does not disclose any cognizable offence, the first respondent can conduct preliminary enquiry with the complainant and if the said enquiry reveals any cognizable offence, he can register a case and proceed further in accordance with law. Instead of that he should not unnecessarily harass the petitioner.

5. With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

drl

To

- 1.The Inspector of Police,
Kanakamachatram Police Station,
Thiruvallur District.
- 2.The Deputy Superintendent of Police,
Thirutani,
Thiruvallur District.
- 3.The Superintendent of Police,
Thiruvallur District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.A.Thiyagarajan, Advocate SR.No.6987

CRL.O.P.No.1756 of 2020

RK (CO)
GMY (28/02/2020)