

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CrI.OP.No.1891 of 2020

1.K.Nancy
2.K.Srikandan

.. Petitioners

-vs-

1.The Commissioner of Police,
Vepery, Chennai - 600 007.

2.State Rep by
The Inspector of Police,
W-4, All Women Police Station,
Kilpauk, Chennai.

.. Respondents

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

For Petitioners : Mr.L.K.Charles Alexander

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

ORDER

This petition has been filed to direct the respondents not to harass the petitioners.

2. The learned counsel for the petitioners has submitted that the first petitioner is the wife of the second petitioner. He further submitted that the second petitioner is the President of All India Hindu Maha Sabha. He further submitted that one Niranjani has lodged a false complaint against the second petitioner herein and based on the same an FIR was registered in Cr.No.1 of 2020 under Sections 294(b), 354-A, 506(i) and 509 of IPC read with Section 4 of Prohibition of Women Harassment Act 2002. He further submitted that the second petitioner has moved anticipatory bail application in CrI.MP.No.818 of 2020 on the file of the Principal Sessions Judge, Chennai and in that petition, the learned Sessions Judge, taking into consideration the

submissions made by both the parties has granted anticipatory bail to the second petitioner. But, immediately thereafter the said Niranjani has lodged another false complaint and based on the same, the second respondent is harassing the petitioners.

3. The second respondent has filed a counter stating that one Niranjani has lodged a complaint before the Deputy Commissioner, Women and Child Protection Wing, Thousand Light, and the same was received by the second respondent through proper channel on 21.01.2020 at 22.15 hrs and FIR has been registered in Cr.No.3 of 2020 under Sections 506(1) IPC, 4 of Tamil Nadu Prohibition of Women Harassment Act 2002 and 67 IT Act 2000 against the second petitioner herein and others. She further stated that already one FIR has been registered in Cr.No.1 of 20 under Sections 294(b), 354(A), 506(i), 509 r/w 4 of Tamil Nadu Prohibition of Women Harassment Act 2002 and both the FIRs are under investigation. She further stated that in Cr.No.3 of 2020 the first petitioner is not arrayed as accused and only the second petitioner is arrayed as Accused No.1.

4. The learned Additional Public Prosecutor has submitted that since the second FIR has been registered against the second petitioner only, for investigation purpose, the second petitioner alone was called, but the petitioners were not subjected to any harassment.

5. Considering the fact that the second FIR has been registered against the second petitioner in Cr.No.3 of 2020 and only for investigation purpose he was called, the said act cannot be termed as harassment. This petition is liable to be dismissed. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

drl

To

1.The Commissioner of Police,
Vepery, Chennai - 600 007.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The Inspector of Police,
W-4, All Women Police Station,
Kilpauk, Chennai.

3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.1891 of 2020

KS (CO)
GMY (10/06/2020)



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