

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2020

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.4068 of 2020

K.S.Venugopal

... Petitioner

Vs.

1. The Inspector of Police,
B-5, Singanallur Police Station,
Coimbatore,
(Crime No.964 of 2009)
 2. The Assistant Commissioner of Police,
B-5, Singanallur Police Station,
Coimbatore,
(Crime No. 964 of 2009)
- ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the first respondent, not to harass the petitioner.

For Petitioner : Mr. P.Pazhamalai

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

O R D E R

This petition has been filed to direct the first respondent not to harass the petitioner.

2. The learned counsel for the petitioner has submitted that a case is pending against the petitioner's son Venkatesh @ Venkata Subramanian in Crime No.964 of 2009 on the file of the III Additional Sessions Court, Coimbatore in S.C.No.51 of 2012. He further submitted that the petitioner's son Venkatesh @ Venkatasubramanian left the house 6 years ago and his whereabouts not known to the petitioner but the respondents are frequently visiting the petitioner's house and threatened the petitioner to disclose with regard to whereabouts of his son and they are not allowing the petitioner to go outside and to attend the normal work and therefore he prayed to direct the first respondent not to harass the petitioner.

3. Per contra, the learned Additional Public Prosecutor has submitted that the petitioner's son Venkatesh @ Venkatasubramanian is an accused charged for the offence punishable under Section 302 of IPC. He further submitted that the said case is pending before the learned III Additional Sessions Judge, Coimbatore in S.C.No.51 of 2012 and since the said Venkatesh @ Venkatasubramanian not appeared before the trial Court, NBW has been issued and only to execute the said NBW, the petitioner was enquired and he was not subjected to any harassment. He further submitted that since the petitioner was enquired with regard to whereabouts his Son Venkatesh @ Venkatasubramanian, he immediately rushed to this Court and filed this petition stating that the respondents are harassing him. He further submitted that the respondent is not harassing the petitioner and therefore he prayed to dismiss the petition.

4. Admittedly, a case is pending against the petitioner's son Venkatesh @ Venkatasubramanian for the offence punishable under Section 302 of IPC filed in S.C.No.51 of 2012 before the III Additional Sessions Court, Coimbatore and in the said case, the petitioner's son has not appeared and NBW has been issued.

5. According to the learned Additional Public Prosecutor, only for executing the said NBW, the petitioner was enquired and he has not been subjected to any harassment. If the petitioner is enquired to know his son's whereabouts, it cannot be said as harassment. The petitioner has to co-operate for executing NBW which is pending against his son. This court does not find any merit in this petition.

6. For the aforesaid reasons, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(ADI-MDU)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
B-5, Singanallur Police Station,
Coimbatore,
2. The Assistant Commissioner of Police,
B-5, Singanallur Police Station,
Coimbatore.

3.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.4068 of 2020

PA(CO)
CB(28/05/2020)



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