

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.2185 of 2020

1.K.R.Palanisamy
2. P.Selvi

.. Petitioners

-VS-

The Inspector of Police,
Negamam Police Station,
Pollachi Sub Division,
Coimbatore.

..Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent not to harass the petitioner on the basis of false complaint made by M.Sarojini, Wife of Muthukumar.

For Petitioner : Mr.P.Kannan

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

ORDER

This Criminal Original Petition has been filed to direct the respondent not to harass the petitioner.

2. The learned counsel for the petitioners has submitted that there is a dispute between the first petitioner and the defacto complainant viz., Mrs.Sarojini, W/o.Muthu Kumar in respect of money transaction. He further submitted that the said Sarojini gave a false complaint against the first petitioner and based on the same, the respondent is unnecessarily harassing the first petitioner and therefore, he prayed to direct the respondent not to harass the first petitioner.

3. Per contra, the learned Additional Public Prosecutor has submitted that since the complaint has been received against the first petitioner, the first petitioner was called only for enquiry purpose and he was not subjected to any harassment.

4. If the said complaint discloses any cognizable offence, the respondent has to register a case. In case, the said complaint does not disclose any cognizable offence, the 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 petitioners.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Vv

To

1. The Inspector of Police,
Negamam Police Station,
Pollachi Sub Division,
Coimbatore.

2. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.P.Kannan ,Advocate Sr.No.8441

CRL.O.P.No.2185 of 2020

KKV/22/05/2020

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