

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CrI.OP.No.2302 of 2020

A.J.Nazar Basha

.. Petitioner

-vs-

1.State Rep. by
The Commissioner of Police,
Salem City, Salem.

2.State Rep by
The Inspector of Police,
Salem Town Police Station,
Salem.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to issue a direction directing the second respondent police not to harass the petitioner and his family members.

For Petitioner : Mr.C.Samivel

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

ORDER

This petition has been filed to direct the second respondent not to harass the petitioner and his family members.

2. The learned counsel for the petitioner has submitted that a civil suit in OS.No.983 of 2004 on the file of the II Additional District Munsif, Salem is pending. He further submitted that already one FIR was registered in the year 2020 and to quash the same, the petitioner herein has already filed the CrI.OP. before this Court and the same is still pending. He further submitted that subsequently, without registering any case, the second respondent is unnecessarily harassing the petitioner.

3. Per contra, the learned Additional Public prosecutor has submitted that an FIR has been registered against the petitioner and others in Cr.No.1605 of 2019 under Sections 147, 427 and 447 of IPC, and in that case, so far, the petitioner was not arrested and only for investigation purpose the petitioner was called and he was not subjected to any harassment.

4. Since FIR has been registered in Cr.No.1605 of 2019 against the petitioner herein, the petitioner has to co-operate for investigation. He cannot contend that he is being harassed. This Court does not find any merit in this petition. Hence, this Petition is liable to be dismissed.

5. In the result, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

drl

To

1.The Commissioner of Police,
Salem City, Salem.

2.The Inspector of Police,
Salem Town Police Station,
Salem.

3.The Public Prosecutor,
High Court, Madras.

+1 Cc to Mr.C. Samivel, Advocate Sr.No. 9107.

CRL.O.P.No.2302 of 2020

SPD (CO)
RPP (20/05/2020)