

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.2999 of 2020

P.Murthy

.. Petitioner

-vs-

1.The State Rep by its
Assistant Commissioner of Police,
Madhavaram Range,
Chennai - 600 110.

2.The State Rep by its
The Inspector of Police,
M-1, Madhavaram Police Station,
Madhavaram, Chennai - 600 110.

.. Respondents

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

For Petitioner	: M/s.C. Samadharama Arasu
For Respondents	: Mr.M.Mohamed Riyaz Additional Public Prosecutor

ORDER

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

2. The learned counsel for the petitioner has submitted that the petitioner is a Practising Advocate and already a civil suit is pending in OS.No.201 of 2013 on the file of Additional District Judge, Ponneri, between the petitioner herein and one Sorojammal, and that being so, based on the complaint lodged by one Mugundhan, the first respondent is harassing the petitioner. He further submitted that in the civil dispute the respondents are not entitled to interfere. Therefore he prayed to direct the respondents not to harass the petitioner.

3. Per contra, the learned Additional Public Prosecutor has submitted that one Mugundan has lodged a complaint against the petitioner on 22.11.2018 and subsequently he lodged another

complaint dated 13.03.2019 and based on the same CSR.No.128 of 2019 was issued. He further submitted that only for enquiry purpose the petitioner was called in the said complaint, but he was not subjected to any harassment.

4. Considering the aforesaid submissions, if any complaint is received against the petitioner, the respondent has to conduct enquiry and thereafter, if the enquiry reveals that any cognizable offence is made out against the petitioner, he has to register a case and proceed further in accordance with law and instead of that he should not unnecessarily harass the petitioner.

5. With the aforesaid directions, this petition is disposed of.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

drl

To

1. The Assistant Commissioner of Police,
Madhavaram Range,
Chennai - 600 110.

2. The Inspector of Police,
M-1, Madhavaram Police Station,
Madhavaram, Chennai - 600 110.

3. The Public Prosecutor,
High Court, Madras.

+2 Ccs to Mr.C.Samadharm Arasu, Advocate sr 11075.

CRL.O.P.No.2999 of 2020

BP(CO)
SP(28/05/2020)