

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CrI.OP.No.3291 of 2020

1.S.Joseph
2.Amalorpavam Joseph

.. Petitioners

-vs-

The Inspector of Police,
Nallipalayam Police Station,
Namakkal District.

.. Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police not to harass the petitioners based on the complaint lodged by Mr.Gunasekaran the defacto complainant under the guise of enquiry.

For Petitioners : Mr.B.Sekar

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

ORDER

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

2. The learned counsel for the petitioners has submitted that based on the complaint given by one Gunasekaran, the respondent is unnecessarily harassing the petitioners.

3. The learned Additional Public Prosecutor has submitted that since one Gunasekaran has lodged a complaint against the petitioners and only for enquiry purpose in the said complaint, they were called and they were not subjected to any harassment.

4. If the 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(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Nallipalayam Police Station,
Namakkal District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Sekar, Advocate sr.12915

CRL.O.P.No.3291 of 2020

cnr(co)
nr 18/02/2020

सत्यमेव जयते

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