

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2020

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
Crl.OP.No.3241 of 2020

Sivakumar

... Petitioner

Vs.

1.State Rep by

The Superintendent of Police,
Office of Superintendent Police,
Coimbatore.

2.The Inspector of Police,
C-2, Race Course Police Station,
Coimbatore.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to direct the respondents not to harass the petitioner and his family members in the guise of enquiry without following due process of law.

For Petitioner : Mr.N.Ponraj
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner and his family members in the guise of enquiry without following due process of law.

2. The learned counsel for the petitioner has submitted that based on the complaint given by the defacto complainant viz., Karthik, the second respondent is unnecessarily harassing the petitioner.

3. The learned Additional Public Prosecutor has submitted that since the defacto complainant viz., Karthik has lodged a complaint against the petitioner and only for enquiry purpose in the said complaint, he was called and he was not subjected to any harassment.

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

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

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

drl

To

1. The Superintendent of Police,
Office of Superintendent Police,
Coimbatore.
- 2.The Inspector of Police,
C-2, Race Course Police Station,
Coimbatore.
3. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

Cr1.O.P.No.3241 of 2020

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