

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.07.2020

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.3625 of 2020

Saravanan, M/60,
S/o. Govinda Chetty,
No.2/228, Pachur Village,
Natrampalli Taluk,
Thirupatthur District. Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Krishnagiri District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Krishnagiri District.
3. The Inspector of Police,
All Women Police Station,
Bargur, Krishnagiri District. Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 3rd respondent not to harass the petitioner and his wife in the name of enquiry by issuing summons in crime no.07 of 2019 on the file of the respondent in accordance with law within the time stipulated by this Court.

For Petitioner : Mr. R. Rajprabhu

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

ORDER

This petition has been filed seeking direction to the respondent police not to harass the petitioner in connection with Crime No. 7 of 2019 pending on the file of Respondent Police.

2. Heard the learned Counsel for the petitioner and learned Additional Public Prosecutor for the respondent police.

3. The learned counsel appearing for the petitioner submits that the respondent police harassed the petitioner under the guise of enquiry.

4. The learned Additional Public Prosecutor appearing for the respondent police submits that the police called the petitioner for enquiry in the pending FIR in Crime No.7 of 2019. The case where the FIR is pending against the petitioner, there is no scope for this Court to entertain the petition under Section 482 of Cr.P.C., under the caption "Not to harass".

5. Under such circumstances, once the regular FIR has been registered, the question of "Not to harass" will not arise. Any direction issued by this Court at this stage will amount to interfering with the investigation conducted by the respondent police. Hence, this Criminal Original petition is dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrp

TO

1. The Superintendent of Police,
Office of the Superintendent of Police,
Krishnagiri District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Krishnagiri District.
3. The Inspector of Police,
All Women Police Station,
Bargur, Krishnagiri District.
4. The Additional Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.3625 of 2020

KS (CO)

RMP (30/09/2020)