

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2020

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.3677 of 2020

N.Masila Devi

... Petitioner

Vs.

1. The Superintendent of Police,
O/o. Superintendent of Police,
Erode.

2. The Inspector of Police,
District Crime Branch,
Erode.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondent police not to harass the petitioner in the name of investigation on the file of the Inspector of Police, District Crime Branch.

For Petitioner : Mr. P.Muthamizh Selvakumar

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

O R D E R

This petition has been filed to direct the respondent police not to harass the petitioner in the name of investigation on the file of the Inspector of Police, District Crime Branch.

2. When the matter came up for last hearing i.e., on 20.02.2020, Mr.V.Logeswaran, learned counsel represented that he will file intervener application and considering the said submission, the case has been adjourned and posted today. But so far, he has not filed any intervening petition. Hence, after hearing the arguments of the learned counsel for the petitioner and the learned Additional Public Prosecutor and on perusing the materials on record, order is being passed in this petition.

3. The learned counsel for the petitioner has submitted that based on the complaint lodged by one Loganathan, the second respondent has registered a case

against the petitioner. He further submitted that the petitioner has not committed any offence, but the second respondent is unnecessarily harassing the petitioner.

4. Per contra, the learned Additional Public Prosecutor has submitted that based on the complaint lodged by one Loganathan, the second respondent has registered an FIR in Crime No.14 of 2019, under Sections 120(b), 420, 506 (1) of IPC. He further submitted that in the said FIR, the petitioner has been arrayed as accused No.4. He further submitted that so far, the petitioner has not been harassed and hence only for investigation purpose, the petitioner was called and without subjecting herself to the process of law, she rushed to this Court and filed this petition and hence he prayed to dismiss this petition.

5. Admittedly, a case has been registered against the petitioner herein in Crime No.14 of 2019 on the file of the second respondent under Sections 120 (b), 420, 506 (1) of IPC. So far, the petitioner, neither surrendered before the second respondent nor obtained any anticipatory bail. Under the said circumstances, the petitioner cannot contend that she is being harassed by the respondent police. For investigation purpose, the respondent police are entitled to arrest the petitioner and enquire her. Hence, this Court does not find any merit in this petition.

6. For the aforesaid reasons, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (ADI-MDU)

//True Copy//

Sub Assistant Registrar

ebsi
To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Erode.

2. The Inspector of Police,
District Crime Branch,
Erode.

3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.3677 of 2020

PA(CO)
CB(28/05/2020)