

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.4038 of 2020

1. P.Mohan Kumar
2. P.Madhan Kumar

...Petitioners

Vs.

- 1.The Superintendent of Police,
Collector Office, Kancheepuram,
Kancheepuram District,
Tamil Nadu 631 501
- 2.The Deputy Superintendent of Police,
Vandallur,
Guduvancherry,
Tamil Nadu - 603 202
- 3.The Inspector of Police,
H-2, Police Station,
Kupenthiran Street,
Kamarajarpuram,
Nandivaram,
Guduvancherry,
Tamil Nadu 603 202

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the third respondent to consider the representation dated 19.02.2020 and not to harass the petitioner.

For Petitioners : Mr.N.G.P.Rajaram

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

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ORDER

This petition has been filed seeking direction to the respondents police not to harass these petitioners on the complaint given by one, Raja pending on the file of the third Respondent Police.

2. Heard the learned Counsel for the petitioners and learned Additional Public Prosecutor for the respondents police.

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

4. The learned Additional Public Prosecutor appearing for the respondents police submits that FIR has been registered in Crime No.657 of 2018 in boy missing case, and also a petition in HCP is pending before this Court in HCP.No.2678 of 2019. Therefore, when the case where the FIR is pending against the petitioners, 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. However, the petitioners are directed to appear before the respondents police for enquiry on issuance of summon. Accordingly, this Criminal Original petition is disposed of.

Sd/-

Assistant Registrar(CO)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Collector Office, Kancheepuram,
Kancheepuram District,
Tamil Nadu 631 501

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2.The Deputy Superintendent of Police,
Vandallur,
Guduvancherry,
Tamil N adu - 603 202

3.The Inspector of Police,
H-2, Police Station, Kupenthiran Street,
Kamarajarpuram,
Nandivaram,
Guduvancherry,
Tamil Nadu 603 202

4.The Public Prosecutor,
High Court,
Madras.

+1 cc to Mr.N.G.P.Rajaram, Advocate, S.R.No.18921

CrI.O.P.No.4038 of 2020

RV(CO)
RN(20/05/2020



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