

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.4056 of 2020

N.Mani

...Petitioner

-Vs-

1. State rep by
The Inspector of Police,
EOW II, Namakkal,
Namakkal District 637 001.

2. State rep by
The Deputy Superintendent of Police,
EOW II, Namakkal,
Namakkal District - 637 001. ... Respondents

Prayer:

Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents not to harass the petitioner in the Blanket of enquiry in the CSR.No.Not known/2020 instead of following the due process of law in issuing S.41A Crpc notice or summon.

For Petitioner	: Mr.L.Infant Dinesh
For Respondents	: Mr.M.Mohamed Riyaz
	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner has submitted that the petitioner has not committed any offences and further no notice or summon issued under section 41(A) of Crpc. But, the second respondent is unnecessarily calling the petitioner and harassing him.

3. The learned Additional Public Prosecutor has submitted that a case has been registered against the petitioner and others in Crime No.1 of 2019 under sections 120-B, 420 of IPC and other provisions of law and in the said case, the petitioner has been arrayed as A3. He further submitted that only for investigation purpose, the petitioner was called for and he was not subjected to any harassment.

4. Considering the fact that a case has been registered against the petitioner in Crime No.1 of 2019 under sections 120-B, 420 of IPC and other provisions of law, the first respondent is entitled to call the petitioner for enquiring him. Therefore, the petitioner cannot contend that he is being harassed by the second respondent. This Court does not find any merit in this petition.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mfa
To

1. The Inspector of Police,
EOW II, Namakkal,
Namakkal District 637 001.
2. The Deputy Superintendent of Police,
EOW II, Namakkal,
Namakkal District - 637 001.
3. The Public Prosecutor,
High Court, Madras.

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aa14/05/2020