

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4341 of 2020

S.Paulraj

...Petitioner

-Vs-

1. The Director General of Police,
Police Head Quarters,
Kamarajar Salai,
Mylapore,
Chennai-600 004.
2. The Commissioner of Police,
C/o.The Commissioner of Police,
Veppery,
Chennai-600 007.
3. The Inspector of Police,
Ambattur Police Station,
Ambattur,
Chennai.

4.S.V.Venkatraman

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 3rd respondent not to harass the petitioner and his family members on the basis of the petitioner's representation dated 07.11.2017, 03.11.2017, 17.09.2019, 10.12.2019 and 24.02.2020.

For Petitioner : Mr.S.Radhakrishnan
For Respondents : Mr.M.Mohammed Riyaz
Addl.Public Prosecutor
for R1 to R3

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ORDER

This petition has been filed seeking direction to the 3rd respondent police not to harass the petitioner and his family members on the basis of the petitioner's representation dated 07.11.2017, 03.11.2017, 17.09.2019, 10.12.2019 and 24.02.2020.

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

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

4. The learned Additional Public Prosecutor appearing for the respondent police submits that based on the complaint lodged by the defacto complainant one S.V.Venkatraman/4th respondent herein, a case has registered on the file of the 3rd respondent police. The police called the petitioner for enquiry in the pending FIR in Crime No.338 of 2020. 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(CS VIII)

//True Copy//

Sub Assistant Registrar

rpl

To

1. The Director General of Police,
Police Head Quarters,
Kamarajar Salai,
Mylapore,
Chennai-600 004.

2. The Commissioner of Police,
C/o.The Commissioner of Police,
Veppery,
Chennai-600 007.

3. The Inspector of Police,
Ambattur Police Station,
Ambattur,
Chennai.

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Radhakrishnan, Advocate, S.R.No.20524

Cr1.O.P.No.4341 of 2020

BS (CO)
KKV/112/06/2020



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