

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.05.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.7877 of 2020

Nanjil P Sampath

... Petitioner

Vs.

1.The State rep. By
The Inspector of Police
Ariyankuppam Circle
Puducherry

2.The Station House Officer
Thavalakuppam Police Station
Puducherry

... Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent not to harass the petitioner in connection with Crime No.20 of 2019 on the file of Thavalakuppam Police Station, Puducherry during the disastrous pandemic threat of COVID-19 except to proceed after granting reasonable time by issuing fresh notice in accordance with law after the normal and conducive situation is restored from COVID-19 Pandemic situation.

For Petitioner: Mr.S.Conscious Ilango

For Respondents: Mr.Bharatha Chakravarthy
Public Prosecutor (Puducherry)

ORDER

(The case has been heard through video conference)

This Criminal Original Petition has been filed seeking a direction to direct the respondent not to harass the petitioner in connection with Crime No.20 of 2019 on the file of Thavalakuppam Police Station, Puducherry during the reasonable time by issuing fresh notice in accordance with law after the normal and conducive situation is restored from COVID-19 Pandemic situation.

2.The learned counsel appearing for the petitioner would submit that the respondent has registered a case against the

petitioner in Crime No.20 of 2019 for the offences u/s.294, 354 (A) and 509 IPC. He would further submit that the offences alleged against the petitioner are bailable in nature and the petitioner is prepared to appear for enquiry. However, under the guise of summoning for enquiry, the respondents are harassing the petitioner and compelling him to appear during the COVID-19 Pandemic lock down period. He would further submit that the petitioner is a resident of Kaniyakumari District and a senior citizen is suffering with medical ailments and thereby would pray for a direction to the respondents not to harass him, compelling him to appear for enquiry.

3.At this juncture, the learned Public Prosecutor (Puducherry) would submit that the petitioner is an accused in Crime No.20 of 2019, registered by the 2nd respondent police for the offences under Section 294, 354(A) and 509 IPC and the petitioner is required for enquiry. He would submit that the respondents are not harassing the petitioner and that enquiry will be done in accordance with law after issuing fresh summons to the petitioner once the lock down on account of COVID-19 Pandemic is lifted by the Central Government and the respective State Governments and he would further reiterate and submit that till such time normalcy is restored, the petitioner will not be summoned or pressurised to appear for enquiry.

4.Recording the submissions and the undertaking given by the learned Public Prosecutor (Puducherry), this petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

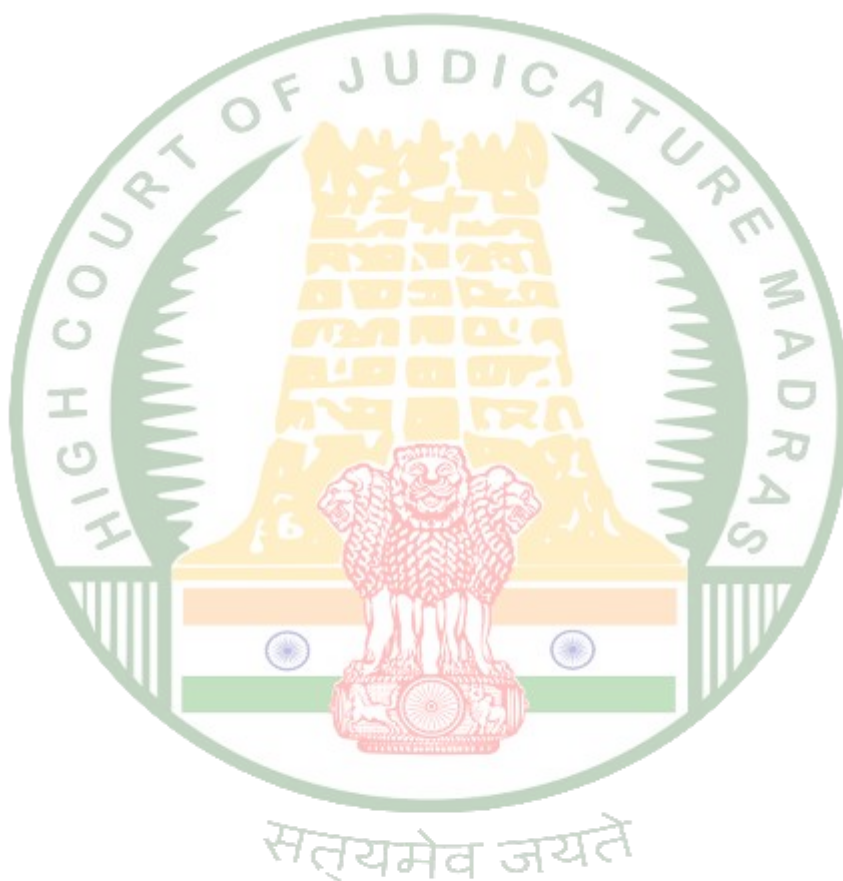
1.The Inspector of Police
Ariyankuppam Circle
Puducherry

2.The Station House Officer
Thavalakuppam Police Station
Puducherry

3.The Public Prosecutor
Madras High Court
Chennai 600 104.

Crl.O.P.No.7877 of 2020

SSI (CO)
CB(10/06/2020)



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