

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9869 of 2020

Vinoth

S/o. Munusamy

J.J. Nagar,

Nagavedu, Nemili Taluk,

Vellore District.

...Petitioner

Vs.

1. State Rep by its.,
The Superintendent of Police,
Vellore District.

2. State Rep by its.,
The Deputy Superintendent of Police,
Arakkonam Circle, Vellore District.

3. State Rep by its.,
The Inspector of Police,
P.E.W. Arakkonam Police Station,
Vellore District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the third respondent Police not to harass the petitioner and his family members.

For Petitioner : Mr. D. Dayalan

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

ORDER

This petition has been filed seeking direction to the third respondent police not to harass the petitioner in connection with Crime No. 126 of 2020 pending on the file of Respondent Police.

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

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

4. The learned Additional Public Prosecutor appearing for the respondent police submits that the police called the petitioner for enquiry in the pending FIR in Crime No.126 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 III)

//True Copy//

Sub Assistant Registrar

mp/lok

To

1. The Superintendent of Police,
Vellore District.
2. The Deputy Superintendent of Police,
Arakkonam Circle, Vellore District.
3. The Inspector of Police,
P.E.W. Arakkonam Police Station,
Vellore District.
4. The Public Prosecutor,
High Court, Madras.

PP(CO)
RMP(23/07/2020)

Cr1.O.P.No.9869 of 2020

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