

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No 11226 of 2020

O.Murugesan
S/o. Mr.Osai,
Ambedkar Nagar,
Sitheri Village & Post,
Attur Taluk,
Salem District- 636 101. ...Petitioner

Vs.

The State Rep by.,
1. The Superintendent of Police,
Salem, Salem District.
2. The Inspector of Police,
Thalaivasal Police Station,
Attur, Salem District. ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the second respondent not to harass the petitioner.

For Petitioner : Mr.T.Velu
For Respondents: Mr.S.Karthikeyan,
Additional Public Prosecutor.

ORDER

This petition has been filed seeking direction to the second respondent police not to harass the petitioner.

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.463 of 2020 for the offences under Sections 147, 294 (b), 323, 324 and 506 (i) of IPC. 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)

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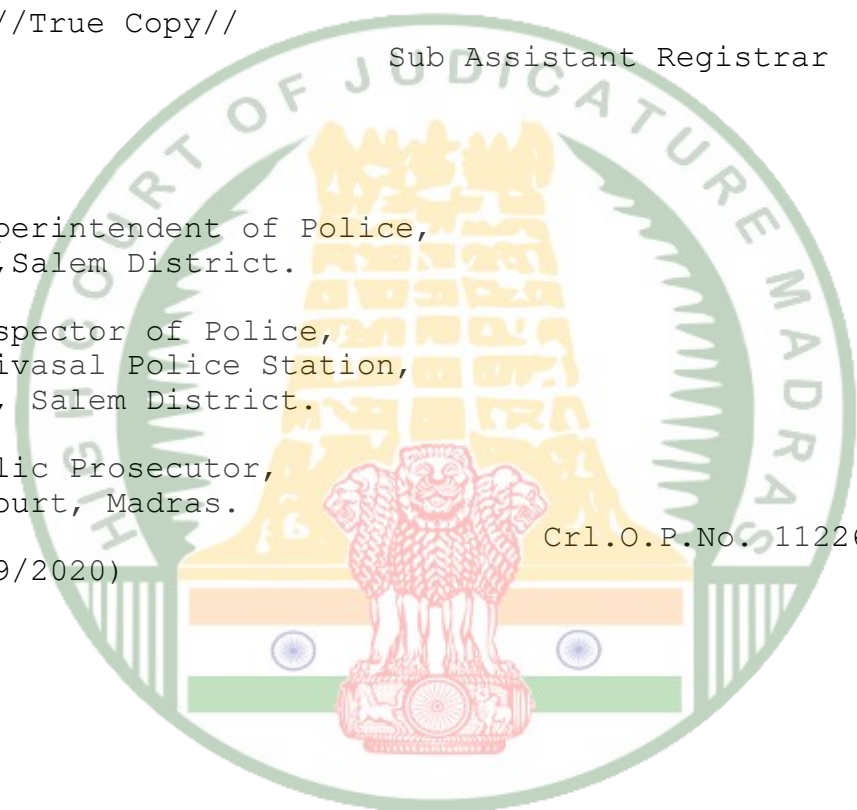
Sub Assistant Registrar

dh
To

1. The Superintendent of Police,
Salem, Salem District.
2. The Inspector of Police,
Thalaivasal Police Station,
Attur, Salem District.
3. The Public Prosecutor,
High Court, Madras.

A.SK(09/09/2020)

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The seal of the High Court of Judicature Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. Below the gopuram is the Indian national flag (saffron, white, and green horizontal stripes) with the Ashoka Chakra in the center. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a green circle around the central image. At the bottom, the motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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