



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction

Monday, the Seventeenth day of February Two Thousand Twenty

PRESENT

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The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.1903 of 2020

Sakthivel Rajan,

... Petitioner

Vs

1 The Superintendent of Police
Ramanathapuram District

2 The Inspector of Police
District Crime Branch Ramanathapuram
Ramanathapuram District

3 Vijaybaskar
S/o.Sethurajan Pattinamkatthan Village
Ramanathapuram District

... Respondent

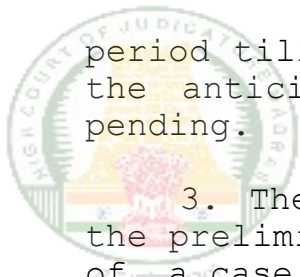
Prayer :-

Criminal Original Petition filed under section 482 praying to pass an order directing the 1st respondent police to instruct the 2nd respondent police Not to Harass the petitioner under guise of enquiry based on representation dated 06.12.2019.

ORDER:- This Revision Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon perusing the earlier order of this court and upon hearing the arguments of Thiru.A. Uthayakumar, Advocate for the Petitioner and of Thiru. S. Chandrasekar, Government Advocate for the respondents, this Court made the following order:

This matter is listed today under the caption 'for clarification'.

2.When the matter was taken up for hearing on 05.02.2020, it was represented by the petitioner that the third respondent had given a complaint against him and when he had approached this Court, it was represented that the enquiry was closed and thereby anticipatory bail was granted. It was also represented that even after grant of anticipatory bail, the respondent police were harassing him. This Court believing the representation made by the petitioner, passed the usual order. However, it was brought to the knowledge of this Court that the enquiry is still pending and this Court had granted interim anticipatory bail only for a limited



period till 12.02.2020 and thereafter, it has not been extended and the anticipatory bail petition in CrI.O.P(MD)No.1906 of 2020 is pending.

3. The learned Additional Public Prosecutor would submit that the preliminary enquiry has been completed and there is a likelihood of a case being registered.

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4. In view of the same, usual order already granted on 05.02.2020 cannot be sustained, however, since it is stated that the offences are made out against the petitioner and there is likelihood of registration of the case and that the anticipatory bail application of the petitioner is also still pending, usual order not to harass cannot be given. Accordingly, the order passed on 05.02.2020 made in CrI.O.P(MD)No.1903 of 2020 is recalled.

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.

6. Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. The Superintendent of Police
Ramanathapuram District
2. The Inspector of Police
District Crime Branch Ramanathapuram
Ramanathapuram District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 17/02/2020

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ORDER

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CRL OP(MD). No.1903 of 2020

This Criminal Original
petition is dismissed.