



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2020

WEB COPY

CORAM:
THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**
CrI.O.P.[MD]No.6980 of 2020

Nagarajan

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

3.Arockiyasamy

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent to not to harass the petitioner and his family members under the guise of enquiry based on the representation dated 10.06.2020.

For Petitioner : Mr.R.Selvaraj
For R-1 and R-2 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking a direction to the second respondent not to harass the petitioner and his family members under the guise of enquiry, based on the representation, dated 10.06.2020.

2.The learned counsel appearing for the petitioner would submit that the respondent police harassed the petitioner under the guise of enquiry.

3.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that on the complaint given by the third respondent/de facto complainant against the petitioner, a case has been registered in Crime No.423 of 2020, under Sections 406, 420, 294(b), 323, 506(ii) of I.P.C., and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. He would further submit that though at the time of registering the case, the petitioner was not cited as an accused and during the time of



investigation the second respondent police came to the conclusion that the petitioner has also committed offence and thereafter, he was arrayed as fourth accused. According to him, the petitioner is an accused in the above referred case.

4. In the said circumstances, once a regular First Information Report has been registered, the question of 'not to harass' will not arise. Hence, if any direction is issued at this stage, it will amount to interfere with the investigation conducted by the respondent police.

5. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KK(16.07.2020) 2P 4C