



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.07.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

Crl.O.P.[MD]No.7304 of 2020

WEB COPY

Selvanathan

... Petitioner

Vs.

1.State rep by

The Sub-Inspector of Police,
Kallal Police Station,
Sivagangai District.
(Crime No.279 of 2020)

... 1st respondent

2.RM.Muthiah

... 2nd Respondent/
Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, praying to issue appropriate direction to the respondent police to not to harass the petitioner in the guise of enquiry as the matter involved is a civil dispute.

For Petitioner : Mr.G.V.Vairom Santhosh

For R-1 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking a direction to the respondent police not to harass the petitioner under the guise of enquiry.

2.Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor for the respondent police and perused the materials placed on record.

3.When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent police submitted that on receipt of the complaint given by the defacto complainant against the petitioner, the respondent police conducted the investigation and registered a case in Crime No.279 of 2020 under Section 352 and 506(ii) of I.P.C.

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.

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// True Copy //

Sd/-

Assistant Registrar (CS-II)

/ /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 Sub-Inspector of Police,
Kallal Police Station,
Sivagangai District.(Cr.No.279/20)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.[MD]No.7304 of 2020
13.07.2020

AP (27.07.2020) 2P-3C