



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2020

CORAM:

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

Crl.O.P.[MD]No.7634 of 2020

S.Balamurugan

... Petitioner

Vs.

1.The Superintendent of Police,
Superintendent of Police Office,
Thoothukudi District.

2.The Deputy Superintendent of Police,
Deputy Superintendent of Police Office,
Kovilpatti,
Thoothukudi District.

...

Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, praying to direct the 2nd respondent not to harass the petitioner.

For Petitioner	: Mr.J.Sathiaraj
For Respondent	: Mr.S.Chandrasekar
	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the second respondent not to harass the petitioners in the guise of enquiry.

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

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

4.The learned Additional Public Prosecutor appearing for the respondent Police, on instructions, would submit that based on the complaint given by one Amsaveni, the second respondent police conducted an enquiry and thereafter, a case has been registered against the petitioner in Crime No.859 of 2020 for the offence under Sections 420, 506(i) IPC and Section 4(1) of the Tamil Nadu Prohibition of Women Harassment Act, 2002. He would further submit



that as of now, the said FIR is pending for investigation on the file of the Sub-Inspector of Police, Kovilpatti.

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

6.In view of the above, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
Superintendent of Police Office,
Thoothukudi District.
- 2.The Deputy Superintendent of Police,
Deputy Superintendent of Police Office,
Kovilpatti,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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ck(CO)
TR(30.07.2020) 2P 4C