



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.07.2020**

CORAM:

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

Crl.O.P.(MD)No.7615 of 2020

1.P.Madasamy

2.M.Pradeep

3.P.Sudalaimadan

... Petitioners

Vs.

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

2.The Inspector of Police,
Kadayam Police Station,
Kadayam,
Tenkasi District.

3.Akash, S/o.Arul

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent not to harass the petitioners and their family members with a view to foist false cases for obvious reasons and take necessary action against the third respondent on the basis of the representation dated 09.03.2020.

For Petitioners : Mr.T.Vadivelan

For R1 and R2 : Mr.S.Chandrasekar

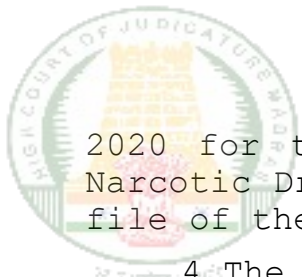
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the second respondent not to harass the petitioners and their family members.

2.The learned counsel appearing for the petitioners would submit that the second respondent police harassed the petitioners and their family members under the guise of enquiry.

3.Today, when the Criminal Original Petition came up for hearing, Mr.S.Chandrasekar, learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that after receipt of the complaint from the third respondent, two cases have been registered against the petitioners viz., Crime No.252 of 2020 for the offences punishable under Sections 294(b), 323 and 506(ii) of I.P.C., in which, all the petitioners were arrayed as accused and Crime No.251 of 2020 for the offences punishable under Sections 294(b), 332, 353 and 506(ii) of I.P.C., in which, the second petitioner alone was arrayed as accused. He would further submit that apart from the above two cases, the second petitioner herein is having one previous case in Crime No.283 of



2020 for the offence under Sections 8(c) and 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985, pending on the file of the second respondent police.

4.The submission made by the learned Additional Public Prosecutor is recorded.

5.In view of the above, this Court is of the view that once a regular F.I.R. has been registered against the petitioners, the question of 'not to harass' does not arise. In the said circumstances, if any order is passed in this Criminal Original Petition, it would amount to interfere with the investigation of the second respondent. Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Smn2

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,
Tenkasi District,
Tenkasi.

2.The Inspector of Police,
Kadayam Police Station,
Kadayam,
Tenkasi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.[MD]No.7615 of 2020
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KB(30.07.2020) 2P 4C