



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

CRL OP(MD)No.8461 of 2020

1.Puvaneswari Soosai Michael

2.Francis

...Petitioners

Vs.

1.The Superintendent of Police,
O/o.the Superintendent of Police,
Kanyakumari District
at Nagercoil.

2.The Deputy Superintendent of Police (Crime)
District Crime Branch,
Kanyakumari District at Nagercoil.

3.State Represented by
The Inspector of Police,
District Crime Branch /
Anti Land Grabbing Special Cell,
Nagercoil, Kanyakumari District
(In Crime No.2 of 2020)

...Respondents

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent not to harass the petitioner herein under the guise of enquiry on the basis of the petitioner's representation, dated 05.12.2019.

For Petitioner : Mr.G.Anto Prince

For Respondents : Mr.S.Chandrasekar

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed, seeking for a direction, directing the 2nd respondent not to harass the petitioner under the guise of enquiry, on the basis of the petitioner's representation, dated 05.12.2019.

2. Heard Mr.G.Anto Prince, the learned counsel appearing for the petitioners and Mr.S.Chandrasekar, the learned Additional Public Prosecutor, appearing for the respondent Police.

3. The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that based on the complaint given by one Ayyar Sivamani, a case has been registered against the petitioners in Crime No.2 of 2020, under Sections 406

and 420 of IPC., As of now, investigation is pending.

4. Now, considering the rival submissions made by either side, it is not in dispute that once the regular FIR is registered against the petitioners, the question of not to harass will not arise. Any direction issued by this Court, at this juncture, will amount to interfere with the investigation conducted by the respondent. Hence, this Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MPK

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,
O/o.the Superintendent of Police,
Kanyakumari District
at Nagercoil.
- 2.The Deputy Superintendent of Police (Crime)
District Crime Branch,
Kanyakumari District at Nagercoil.
3. The Inspector of Police,
District Crime Branch /
Anti Land Grabbing Special Cell,
Nagercoil, Kanyakumari District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KB(25.08.2020) 2P 5C