

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.148 of 2021

Chitra

...Petitioner

Vs.

The State represented by
the Inspector of Police,
N-2 Kasimedu Police Station,
Chennai 600 013.
Crime No.217 of 2019

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent and his subordinates not to harass the petitioner.

For Petitioner : Mr.Muthumari

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent police not to harass the petitioner.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor reports that the petitioner is arrayed as accused in Crime No.217 of 2019 and the investigation is pending before the respondent, the Inspector of Police, N-2 Kasimedu Police Station, Chennai 600 013.

4. Under such circumstances, once the regular FIR has been registered, the question of "Not to harass" will not arise. Any direction issued by this Court at this stage will amount to interfering with the investigation conducted by the respondent police.

5. Hence, the Criminal Original Petition is dismissed.

MSR

08/01/2021

FOR BEING MENTIONED

This Petition having been posed on this Day under the caption
<https://hcservices.ecourts.gov.in/hcservices/>
for Being Mentioned, In pursuance to the order of this Court

dated 08/01/2021 and made herein in the presence of the above said Advocates, this Court made the following order:-

The matter is posted today under the caption for "Being Mentioned", based on the request made by the learned Additional Public Prosecutor.

2. The learned Additional Public Prosecutor submitted that by over sight it was mentioned on the date of hearing that the petitioner is an accused in Crime No.217 of 2019. This was recorded by this Court and the petition was dismissed. Whereas the petitioner is actually a witness in the case and not an accused. The learned Additional Public Prosecutor submitted that this mistake had happened by over sight and therefore, the earlier order passed by this Court should be recalled.

3. Taking into consideration, the submissions of the learned Additional Public Prosecutor, the earlier order is withdrawn and

"This petition is disposed of with a direction to the respondent Police not to harass the petitioner and if at all any enquiry has to be made with the petitioner, the petitioner shall be served with the summons and thereafter the petitioner can be enquired.

This Criminal original Petition is disposed of accordingly."

4. The Registry is directed to carry out the correction and issue a fresh order copy to the learned counsel for the petitioner.

JV

26/02/2021

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To

1.The Inspector of Police,
N-2 Kasimedu Police Station,
Chennai 600 013.

2.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.148 of 2021

SR II(CO)
GN(08/07/2021)

<https://hcservices.ecourts.gov.in/hcservices/>