

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.06.2021

Coram

The Honourable Mr.Justice N.SATHISH KUMAR

W.P.No.12222 of 2021

Mr.C.Darmalingam

...Petitioner

Versus

1.State rep. by

Sub-Inspector of Police (Crime),
R-5, Virugambakkam Police Station,
Saligramam, Chennai - 600 093.

2.State rep. by

Inspector of Police (Crime),
R-5, Virugambakkam Police Station,
Saligramam, Chennai - 600 093.

3.Shankar

...Respondents

This Writ Petition is filed under Section 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 & 2 not to harass the petitioner in relation to the complaint given by the third respondent herein.

For Petitioner :Mr.D.Chandrasekar

For Respondents:Mr.A.Damodaran,

Counsel for Govt. of Tamilnadu (Crl.side)

सत्यमेव जयते
O R D E R

The relief sought for in this writ petition is to direct the respondents 1 & 2 not to harass the petitioner in relation to the complaint given by the third respondent herein.

2. Today (02.06.2021), when the matter is taken up for hearing, there is no representation for the petitioner.

3. The learned counsel appearing for the respondents would submit that a complaint has been received under Section 156(3) Cr.P.C from the learned XXIII Metropolitan Magistrate, Chennai. Based on the above complaint, the respondents 1 & 2 issued summons to the petitioner. However, the petitioner did not

appear.

4. In such view of the matter, the direction sought for by the petitioner in this writ petition cannot be granted in a blanket manner since the term harassment is a subjective one and the same cannot be ordered in all the cases. If the Investigation Officer finds that there is cognizable offence, they can very well proceed as per law.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mrr

To

1.The Sub-Inspector of Police (Crime),
R-5, Virugambakkam Police Station,
Saligramam, Chennai - 600 093.

2.The Inspector of Police (Crime),
R-5, Virugambakkam Police Station,
Saligramam, Chennai - 600 093.

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SSN(CO)
CB(09/07/2021)

सत्यमेव जयते

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