

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.8326 OF 2021

Balaji

... Petitioner

Vs.

1.The Superintendent of Police,  
O/o. Superintendent of Police,  
Tiruvallur District,

2.The Inspector of Police,  
Vengal Police Station,  
Vengal,  
Tiruvallur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, Writ of Mandamus, directing the second respondent herein to not to harass the petitioner based on the petition representation dated 22.03.2021 and appreciating the above stated facts and circumstances.

For Petitioner : Mr.M.Rajkumar

For Respondents : Mr.M.Mohammed Riyaz,  
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed directing the second respondent herein to not to harass the petitioner based on the petition representation dated 22.03.2021 and appreciating the above stated facts and circumstances.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.The grievance of the petitioner is that there is a matrimonial dispute between the parties and the respondents police is issuing summons under Section 160 & 91 of Cr.P.C. for appearance of the petitioner even without registering an FIR and therefore, the summon itself is not sustainable.

4.The learned Additional Public Prosecutor submitted that the respondent police will take a decision with regard to registration of FIR within a short time, if the complaint makes out a cognizable offence and thereafter, will proceed in accordance with law.

5.Recording the submissions of the learned Additional Public Prosecutor, this writ petition stands disposed of. However, there is no order as to costs.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

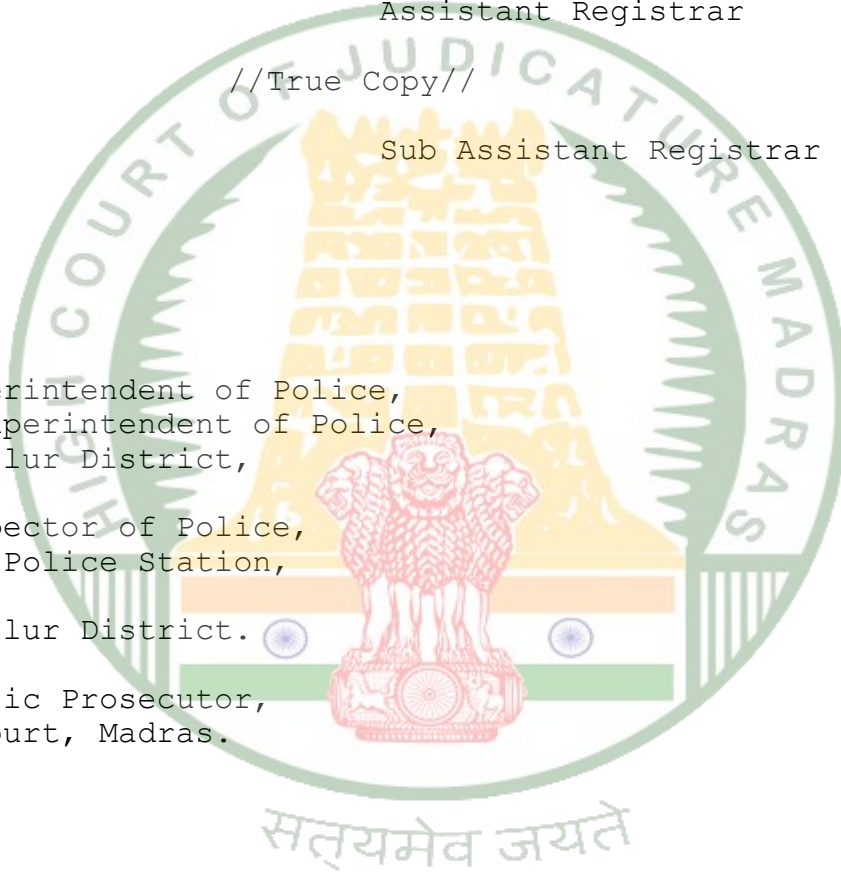
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To

1.The Superintendent of Police,  
O/o. Superintendent of Police,  
Tiruvallur District,

2.The Inspector of Police,  
Vengal Police Station,  
Vengal,  
Tiruvallur District.

3.The Public Prosecutor,  
High Court, Madras.



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PL (CO)  
KM(20/04/2021)

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