

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.10707 of 2021

and

W.M.P.No.11348 of 2021

1.Deepak Jain

2.Inderchand Jain

... Petitioners

Versus

1.The Commissioner of Police,
E.V.J. Sampath Road,
Vepery, Chennai-600 007.

2.The Assistant Commissioner of Police,
Vepery, Chennai-600 007.

3.The Inspector of Police,
G1, Vepery Police Station,
Vepery, Chennai-600 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue Writ petition in the nature of Writ of Mandamus directing respondents NOT TO HARASS the petitioners in the name of the petitioner enquiry by considering the petitioners representation dated 16.04.2021.

For Petitioner : Mrs.S.Sarath Chandran

For Respondents : Mr.C.Raghavan,
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed to direct respondents not to harass the petitioners in the name of the petition enquiry by considering the representation dated 16.04.2021.

2.The learned counsel for the petitioners submitted that based on the complaint given by the defacto complainant, the 3rd respondent is unnecessarily harassing the petitioners.

3.The learned Government Advocate (Crl. Side) submitted that since the defacto complainant has lodged a complaint against the petitioners and only for enquiry purpose in the said complaint, he was called and he was not subject to any harassment.

4.If the complaint discloses any cognizable offence, the 3rd respondent has to register a case. In case, the said complaint does not disclose any cognizable offence, the 3rd respondent can conduct preliminary enquiry with the complainant and if the said enquiry reveals any cognizable offence, he can register a case and proceed further in accordance with law. Instead of that he should not unnecessarily harass the petitioner.

5.With the aforesaid directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No Costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner of Police,
E.V.J. Sampath Road,
Vepery, Chennai-600 007.
- 2.The Assistant Commissioner of Police,
Vepery, Chennai-600 007.
- 3.The Inspector of Police,
G1, Vepery Police Station,
Vepery, Chennai-600 007.
- 4.The Public Prosecutor,
High Court, Madras.

W.P.No.10707 of 2021

RGN (CO)
GN (06/07/2021)

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