

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.8922 of 2021

Vasudevan

...Petitioner

-Vs-

The State rep by
The Inspector of Police,
Otteri Police Station,
Mannivakkam,
Vandalur
Crime No.Not known

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to pass an order of direction directing the respondent and his men not to harass the petitioner except by due process of law.

For Petitioner : Mr.M.Lourdu Savio

For Respondent : Mr.Charles Premkumar

Government Advocate (Crl.Side)

ORDER

This petition is filed seeking direction to the respondent and his men not to harass the petitioner except due process of law.

2. The case of the petitioner is that his wife, Latha complained against the petitioner and it is pending for investigation. Under the guise of investigation, the respondent Police has been frequently harassing the petitioner over phone to come to police station. Therefore, this petition.

3. It is seen from the typed set of papers filed by the petitioner that the petitioner gave complaint against his wife with regard to domestic quarrel between them. As mentioned in the petition, it appears that there is also complaint given by wife and therefore the petitioner is asked to come to Police Station. In the case of M/s.Neeharika Infrastructure Pvt. Ltd., Vs. State of Maharashtra and others rendered in Crl.A.No.330 of 2021, the Hon'ble Supreme Court of India specifically directed the High Court to refrain from passing interim order to not

harass and no coercive measures shall be adopted in the petition filed under Section 482 of Cr.P.C. and Article 227 of the Constitution of India. Therefore, the prayer sought for by the petitioner cannot be entertained.

4. The petitioner is directed to cooperate with the respondent Police for enquiry. If cognizable offence is made out against the petitioner, the respondent Police is directed to register FIR or otherwise close the enquiry and act in accordance with law.

5. Accordingly, this criminal original petition is disposed of.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

lok/msm
To:

1. The Inspector of Police,
Otteri Police Station,
Mannivakkam,
Vandalur
2. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.8922 of 2021

UM(CO)
SP(20/05/2021)

सत्यमेव जयते

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