

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.05.2021

Coram

The Honourable Mr. Justice G. CHANDRASEKHARAN

Crl.O.P.No.9009 of 2021

D. Deenadhayalan

...Petitioner

Versus

The State Rep. by
The Inspector of Police,
Valathi Police Station,
Senjivattam, Villupuram District,
Villupuram.

...Respondent

This Criminal Original Petition is filed under Section 482 of Cr.P.C praying to direct the respondent Police to not to harass the petitioner.

For Petitioner : M/s.A.Arasu Ganesan
For Respondents : Mr.S.Karthikeyan,
Addl. Public Prosecutor

ORDER

The relief sought for in this petition is to direct the respondent Police to not to harass the petitioner.

2. It is the case of the petitioner that there is a property dispute between him and his step-mother. Based on the complaint given by the defacto complainant against the petitioner, the respondent Police is frequently calling him for enquiry.

3. The learned Additional Public Prosecutor appearing for the respondent Police would submit that a case in C.S.R. is pending against the petitioner and therefore, he is calling for enquiry by the respondent Police.

4. In the case of M/s.Neeharika Infrastructure Pvt. Ltd., Vs. State of Maharashtra and Ors. reported in LL 2021 SC 211, the Honourable Supreme Court has categorically held as follows:

"17. So far as the order of not to arrest and/or "no coercive steps" till the final report/chargesheet is filed and/or during the course of investigation or not to arrest till the investigation is completed, in a petition filed u/s. 482 Cr.P.C or under Article 226 of the Constitution of India is not permissible"

5. In the light of the judgment passed by the Hon'ble Apex Court in the case of M/s.Neeharika Infrastructure Pvt. Ltd., Vs. State of Maharashtra and Ors. reported in LL 2021 SC 211, the relief sought for by the petitioner in this petition cannot be granted to him. Therefore, this Court directs the petitioner to co-operate with the enquiry regarding the C.S.R pending against him.

6. With the above observations, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

mrr

To

1.The Inspector of Police,
Valathi Police Station,
Senjivattam, Villupuram District,
Villupuram.

2.The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

Cr1.O.P.No.9009 of 2021

NRL (CO)
GMY (17/06/2021)