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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.16608 of 2021

M.Madhavi

...Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai City Police,
O/o. The Commissioner of Police,
Vepery,
Chennai - 600 007.

2.The Joint Commissioner of Police (North Chennai),
Thiruvottiyur High Road,
Chennai - 600 081.

3.The Deputy Commissioner of Police,
Washermenpet, New Washermenpet,
Chennai - 600 081.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police not to harass the petitioner in the guise of investigation in Crime Number not known on the file of the respondent police in regard to the complaint whose particulars are not known to the petitioner.

For Petitioner : Mr.V.Bhagyaraj

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the respondent police not to harass the petitioner in the guise of investigation in Crime Number not known on the file of the respondent police in regard to the complaint whose particulars are not known to the petitioner.

2.The petitioner is the mother of one Ilayavanan and her son is involved in a NDPS case and in search of him the respondent police had visited the petitioner's house.



3. According to the petitioner, the petitioner has got no control of his son, who is aged about 26 years and his whereabouts are not known to the petitioner. The said Ilayavanan usually visit the petitioner's house only once in a blue moon. She is unable to give other particulars such as where he is staying and what is his activities. The said Ilayavanan is always with his friends and he is unemployed and his mother has got no control over him.

4. The learned Additional Public Prosecutor submitted that the petitioner's son is involved in a NDPS case, involving commercial quantity of 22 kgs. and he is a part of the Gangster belonging to Esha @ Eswaran and he is also involved in another case of Explosive Substance Act.

5. Considering the submissions and on perusal of materials, this Court finds that without calling the petitioner, the enquiry to ascertain and find out the whereabouts of Ilayavanan cannot be completed, the same does not amount to harassment. Hence, this Court directs the respondent police to visit the residence of the petitioner and conduct enquiry and carry out investigation to find out absconding accused. In view of the above, this Court is not inclined to entertain this Criminal Original Petition.

6. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
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O/o. The Commissioner of Police,
Vepery, Chennai - 600 007.
2. The Joint Commissioner of Police (North Chennai),
Thiruvottiyur High Road,
Chennai - 600 081.
3. The Deputy Commissioner of Police,
Washermenpet, New Washermenpet,
Chennai - 600 081.



4.The Public Prosecutor,
High Court,
Madras.

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+1cc to M/s.V.Bhagyaraj, Advocate, S.R.No.47912

CrI.O.P.No.16608 of 2021

KSM(CO)
RVM(07/10/2021)