

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.10577 of 2022

Gunasekaran

...Petitioner

Vs

State

rep. By The Sub-Inspector of Police

District Crime Branch

Vellore

Vellore District.

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the respondent not to harass the petitioner in any manner except by due process of law.

For Petitioner

... Mr.T.Muruganantham

For Respondent

... Mr.A.Gokulakrishnan

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent not to harass the petitioner in any manner except by due process of law.

2. Heard Mr.T.Muruganantham, learned counsel for the petitioner and Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the respondent.

3. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that having received the summons, the petitioner has not appeared before the respondent Police for enquiry.

4. The term harassment is so subjective which cannot be encapsulated in objective criterion. The petitioner having given a complaint is bound to cooperate with the Police for enquiry. Admittedly, the enquiry is pending. Without cooperating with the Police, they cannot seek such a blanket direction.

5. In such a view of the matter, the prayer sought for by the petitioner is rejected. Accordingly, this Criminal Original Petition is dismissed. The Police shall issue notice, within two weeks, from today, for causing the appearance of the petitioner, for enquiry and after enquiring the petitioner, the Police may either register a complaint, if any cognisable offence is made out or close the complaint.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

mvs.

To

1.The Sub-Inspector of Police
District Crime Branch
Vellore
Vellore District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Muruganantham, Advocate SR. No. 38786

Cr1. O.P. No.10577 of 2022

GPL (CO)
PR (30/06/2022)