



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P. No.13519 of 2022

A.Kumar

... Petitioner

Vs.

1. The Superintendent of Police,
O/o.the Superintendent of Police
Cuddalore District,
Cuddalore-607 001.
2. The Assistant Superintendent of Police
O/o.the Assistant Superintendent of Police,
Virudachalam Taluk,
Cuddalore District.
3. The Inspector of Police,
O/o. The Inspector of Police,
Mangalampettai Police Station,
Virudachalam Taluk,
Cuddalore District.
4. Mr.K.Anbarasan ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the officials of the respondents 1 to 3, not to harass the petitioner in the complaint of the 4th respondent.

For Petitioner : Mr.R.Gopinath

For Respondents 1 to 3 : Mr.Leonard Arul Joseph Selvam
Govt. Advocate (CrI.Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 to 3 not to harass the petitioner under the guise of enquiry.

2. It is the contention of the learned counsel for the petitioner that the respondents police are harassing the petitioner under the guise of enquiry.



3. The learned Government Advocate [Criminal Side] on instructions submitted that based on the complaint given by the defacto complainant one Anbarasan, CSR is pending on the file of the 3rd respondent police.

4. Heard the learned counsel for the petitioner and learned Government Advocate(Crl.side) for the respondents.

5. This Court is of the view that when the complaint indicates any cognizable offences, the respondent police has to act on the basis of the same. They cannot keep the complaint pending. In case the petition is pending, it is the duty of the Investigating Officer to issue notice and conduct enquiry as directed by the Hon'ble Apex Court in the case of Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)]. If any cognizable offence is made out, the respondent police is bound to register the FIR otherwise they may close the complaint. Such exercise shall be completed within a period of two weeks from today.

6. In view of the above, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

nr/shk

To

1. The Superintendent of Police,
O/o.the Superintendent of Police
Cuddalore District, Cuddalore-607 001.
2. The Assistant Superintendent of Police
O/o.the Assistant Superintendent of Police,
Virudachalam Taluk, Cuddalore District.
3. The Inspector of Police,
O/o. The Inspector of Police,
Mangalampettai Police Station,
Virudachalam Taluk, Cuddalore District.
4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.R.Gopinath, Advocate SR. No. 36073

Crl.O.P. No.13519 of 2022