



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.14055 of 2022

Mohan Babu

... Petitioner

Vs.

1. The State,
Represented by the Deputy Superintendent of Police,
EOW Wing, HQRS,
Ashok Nagar,
Chennai - 600 083.

2. The State,
Represented by the Inspector of Police,
EOW Wing, HQRS,
Ashok Nagar,
Chennai - 600 083.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the 1st and 2nd respondent Police not to harass the petitioner in connection with notice from 1st respondent dated 12.05.2022 for offence under Section 420 IPC.

For Petitioner : Mr.A.Ramesh, Senior Counsel
for Mr.Deepanuday

For Respondents: Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Petition has been filed seeking to direct the 1st and 2nd respondent Police not to harass the petitioner in connection with notice from 1st respondent dated 12.05.2022 for offence under Section 420 IPC.

2. Heard the learned Senior Counsel appearing for the petitioner and learned Additional Public Prosecutor appearing for the respondent police.



3. When there is a complaint filed, it is the duty of the police to issue necessary notice for enquiry as per law and if any cognizable offence is made out, it is the duty of the police to proceed as per law. It is for the petitioner to cooperate with the investigation. Therefore, such blanket direction as sought for by the petitioner can not be granted by this Court.

4. In such view of the matter, this Court is not inclined to interfere with the investigation and the respondent Police are directed to issue a fresh notice to the petitioner. On such notice being received, the petitioner shall cooperate with the investigation and the respondent shall conduct preliminary enquiry as per the direction contained in the judgment of the Hon'ble Apex Court in the case of Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)] and proceed further as per law.

5. With the above directions, this Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ham/rgi

To

1. The Deputy Superintendent of Police,
EOW Wing, HQRS,
Ashok Nagar, Chennai - 600 083.
2. The Inspector of Police,
EOW Wing, HQRS,
Ashok Nagar, Chennai - 600 083.
3. The Public Prosecutor,
High Court of Madras.

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JPL[co]
NSK/29/06/2022