



Crl.O.P.No.26542 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 02.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.26542 of 2022

Mr.Manoj

... Petitioner

/vs/

1.The Commissioner of Police,
Greater Chennai,
Chennai 600 007.

2.The Deputy Commissioner of Police,
Otteri, Chennai 600 012.

3.The Inspector of Police,
P-2, Otteri Police Station,
Chennai 600 012.

4.Mr.Krishnamurthy,
Inspector of Police,
Korattur Police Station,
Chennai.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the third and fourth respondents not to harass the petitioner under the guise of enquiry.

For Petitioner ... Mr.S.L.Venkatesan

For Respondents ... Mr.S.Santhosh,
Govt. Advocate (Crl. Side) for R1 to R3



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ORDER

WEB COPY This Criminal Original Petition has been filed to direct the third and fourth respondents not to harass the petitioner under the guise of enquiry.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Nos.1 to 3.

3. The learned counsel for the petitioner submitted that the petitioner is running a Betel Nut Shop in No.166, Demmellows Road, Chennai; one young boy called Sathish is known to the petitioner and he used to supply water Can for the petitioner's shop; since Sathish is involved in a criminal case and the case is pending before the Mahila Court and a Non-Bailable Warrant is pending against him, the respondents 3 and 4 often come to the shop of the petitioner and harass him to tell about the details of the whereabouts of Sathish; but the petitioner does not know anything about the whereabouts of the said Sathish and hence he has filed this petition seeking direction to the third and fourth respondents not to harass him.



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4. The learned Government Advocate (Crl. Side) submitted that just because Sathish has to be secured in view of the pending Non-Bailable Warrant, the petitioner was just enquired about the whereabouts of Sathish and he was not harassed by the respondent police.

5. From the submission of the learned counsel for the petitioner, it is understandable that the petitioner is not aware of the whereabouts of Sathish. However, if Sathish happens to come to his shop or contacts him through phone, it is the duty of the petitioner to inform the same to the respondent police or instruct Sathish to surrender before the police or Court. Since Sathish is not in the custody of the petitioner and there are no materials to show that the petitioner is in constant touch with Sathish, I feel it is appropriate to direct the respondents 3 and 4 not to harass the petitioner in the guise of enquiry to know about the whereabouts of Sathish.

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



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Index: Yes/No
Internet: Yes/No
gsk



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To

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1. The Commissioner of Police,
Greater Chennai,
Chennai 600 007.
2. The Deputy Commissioner of Police,
Otteri, Chennai 600 012.
3. The Inspector of Police,
P-2, Otteri Police Station,
Chennai 600 012.
4. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA ,J.

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