



CrI.O.P.No.29969 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **05.12.2022**

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.29969 of 2022

Anthony Metillda
Vs.

...Petitioner

The Inspector of Police,
K-10 Koyambedu Police Station,
Chennai

... Respondent

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C.,
to direct the respondent police not to harass the petitioner.

For Petitioner : Mr.M.Murali
For Respondent : Mr.S.Santhosh

Government Advocate (Criminal side)

ORDER

This Criminal Original Petition is filed to direct the respondent/police not
to harass the petitioner.

2.The learned Government Advocate (Criminal Side) submitted that one
Vasanth gave a complaint against the petitioner alleging that petitioner received
Rs.4 lakhs and her gold jewels weighing 6 ½ sovereigns. Therefore, Vasanth



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gave a complaint in this regard and the police is yet to register petition enquiry or a complaint.

3.It is the grievance of the petitioner that the respondent/Police have been harassing her under the guise of an enquiry/investigation and hence, has invoked the inherent powers of this Court under Section 482 of Cr.P.C.

4.Heard the learned Counsel for the petitioner and learned Government Advocate (crl.side) for the respondent/Police.

5.In the present case in hand, the petitioner has complained of harassment by the police based on a complaint and seek for this Court's intervention by way of a direction. The term 'harassment' by itself has a very wide meaning and hence, what could be harassment to the petitioner may not be the same to the police officer.

6.In order to circumvent such situations, the following guidelines are issued:

a)While summoning any person named in the complaint or any witness to



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the incident complained of, the police officer shall summon such person through a written summon under Section 160 Cr.P.C., specifying a particular date and time for appearing before them for such an enquiry/investigation.

b) The respondent/Police is directed to serve summons mentioning the CSR number, date of complaint and the name of the complainant

c)The minutes of the enquiry shall be recorded in the general diary/station diary/daily diary of the police station.

d)The police officer shall refrain himself or herself from harassing persons called upon for enquiry/investigation.

e)The guidelines stipulated for preliminary enquiry or registration of FIR by the Hon'ble Supreme Court in **Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)]** shall be strictly adhered to.

7.With the above directions, this Criminal Original Petition is disposed of.

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Index:Yes/No



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Speaking/Non speaking order

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To

- 1.The Inspector of Police,
K-10 Koyambedu Police Station,
Chennai
- 2.The Public Prosecutor,
High Court of Madras.



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