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Crl.OP.No.30661 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.30661 of 2022

A.Sivakumar

... Petitioner

Vs.

State rep by:

The Inspector of Police,
Central Crime Branch,
Tiruppur City.

... Respondents

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

For Petitioner : Mr.A. Tamilarasan

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent
police not to harass the petitioner.



Crl.OP.No.30661 of 2022

2. Heard the learned Counsel for the petitioner and the learned Government Advocate (crl.side) for the respondents police.

3. It is seen from the summons issued to the petitioner, it appears that the dispute is with regard to money transactions, which is civil in nature. Therefore, respondent police is directed not to interfere with the civil dispute unnecessarily and harass the petitioner.

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

a) While summoning any person named in the complaint or any witness to 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 is directed to serve summons mentioning the CSR number, date of complaint and the name of the complainant



Crl.OP.No.30661 of 2022

WEB COPY

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.

5. With the above observations and direction, the Criminal Original Petition stands disposed of.

12.12.2022

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

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3/4



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To

1.The Inspector of Police,
Central Crime Branch,
Tiruppur City.

2.The Public Prosecutor,
Madras High Court.



Crl.OP.No.30661 of 2022

G.CHANDRASEKHARAN,J.

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Crl.O.P.No.30661 of 2022

12.12.2022

4/4