



Crl.OP.No.31392 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 20.12.2022**

**CORAM**

**THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN**

**Crl.O.P.No.31392 of 2022**

K.S.Gopal Krishna

... Petitioner

Vs.

The Inspector of Police (Crime)  
S-7 Madipakkam Police Station.  
Keelkattalai, Madipakkam  
Chennai 600 091.

... Respondent

**PRAYER:** This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent not to harass the petitioner and his family members in connection with Crime No.not known of 2018 on the file of the respondent police.

For Petitioner

: Mr.K.Nagarajan

For Respondent

: Mr.S.Santhosh  
Government Advocate(Crl.side)

**ORDER**



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This Criminal Original Petition has been filed to direct the respondent not to harass the petitioner and his family members.

2. The learned counsel for the petitioner submitted that under the pretext of enquiry, the respondent police is unnecessarily harassing the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that on receiving the complaint from one Suganya with regard to civil dispute, enquiry has been conducted in CSR No.408 of 2022 and the same is pending for continuation of enquiry since the petitioner has not cooperated for enquiry.

4. Heard the learned Counsel for the petitioner and learned learned Government Advocate (Crl.Side) for the respondent police.

5. It is the grievance of the petitioner that the respondent has been



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harassing him under the guise of an enquiry/investigation and hence, has invoked the inherent powers of this Court under Section 482 of Cr.P.C.

6. 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.

7. In order to meet such situation, 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 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



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diary/daily diary of the police station.

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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.

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

**20.12.2022**

Internet : Yes / No  
Index : Yes / No  
Speaking / Non Speaking order  
shk

To

1.The Inspector of Police (Crime)  
S-7 Madipakkam Police Station.  
Keelkattalai, Madipakkam  
Chennai 600 091.

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2. The Public Prosecutor,  
High Court of Madras.

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**G.CHANDRASEKHARAN,J.**

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