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Crl.OP.No.31703 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.31703 of 2022

Pushpavalli

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Villupuram District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Prohibition Enforcement Wing,
Villupuram District.

3.The Inspector of Police,
Prohibition Enforcement Wing,
Villupuram District.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 3rd respondent herein not to harass the petitioner.

For Petitioner : Mr.M.Govindaraju

For Respondents : Mr.S.Santhosh

Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition has been filed to direct the 3rd respondent police not to harass the petitioner.

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

3. The learned counsel for the petitioner submitted that the petitioner's husband namely Ilangovan is an accused in the case registered by Prohibition Enforcement Wing at Villupuram District. The 3rd respondent is harassing the petitioner by visiting her house and enquiring the whereabouts of the petitioner's husband.

4. In response, the learned Government Advocate submitted that the petitioner's husband is an accused in Crime No.644 of 2022 of Prohibition Enforcement Wing, Villupuram. He is absconding and therefore, the respondent police conducted an enquiry to know the whereabouts of the petitioner's husband.



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5. 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 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**



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Pradesh and others [2014 (2) SCC (1)] shall be strictly adhered to.

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

22.12.2022

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

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To

1. The Superintendent of Police,
Office of the Superintendent of Police,

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Villupuram District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Prohibition Enforcement Wing,
Villupuram District.

3.The Inspector of Police,
Prohibition Enforcement Wing,
Villupuram District.

4.The Public Prosecutor,
Madras High Court.



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G.CHANDRASEKHARAN,J.

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