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Crl.OP.No.3669 of 2023

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

**DATED: 20.02.2023**

**CORAM**

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

**Crl.O.P.No.3669 of 2023**

A.Williyams

... Petitioner

Vs.

1.State by:

The Assistant Commissioner of Police,  
Ayanavaram Range, Ayanavaram,  
Chennai – 600 023.

2.The Inspector of Police,

All Women Police Station,  
Ayanavaram, Chennai – 600 023.

... Respondents

**PRAYER:** This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents not to harass the petitioner by considering the representation of the petitioner dated 09.02.2023.

For Petitioner : Mr.P.Pugalenth  
For Respondents : Mr.S.Santhosh (For R1 and R2)  
Government Advocate(Crl.side)



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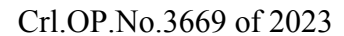
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## **ORDER**

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner by considering the representation of the petitioner dated 09.02.2023.

2.The learned counsel for the petitioner submitted that petitioner's wife has illicit intimacy with third person and therefore petitioner gave a complaint against petitioner's wife Ravanamma. He also filed petition for divorce in O.P.No.131 of 2023 on the file of the Family Court No.IV, Chennai and it is pending. Meanwhile, petitioner's wife gave a complaint against the petitioner and on that basis petitioner is unnecessarily harassed by the respondent Police.

3.In response, the learned Government Advocate (Criminal Side) submitted that petitioner's wife Ravanamma gave a complaint against the petitioner alleging harassment and also abuse by using caste name. On the basis of the complaint, petition enquiry in R.C.No.34/AC/AVM/Camp/cop(v)/23



4.It is the grievance of the petitioner that the respondent police has been 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.

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 meet 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.



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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.The respondent Police is directed to consider the petitioner's representation dated 09.02.2023.

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

**20.02.2023**



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Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order  
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To

- 1.The Assistant Commissioner of Police,  
Ayanavaram Range, Ayanavaram,  
Chennai – 600 023.
- 2.The Inspector of Police,  
All Women Police Station,  
Ayanavaram, Chennai – 600 023.
- 3.The Public Prosecutor,  
High Court of Madras, Chennai.



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**G.CHANDRASEKHARAN,J.**

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