



WEB COPY



CrI.OP.No.4840 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.4840 of 2023

1. S.Soundravalli

2. Selvaraj

3. Jagadeeswari

4.Sonia

... Petitioners

Vs.

Inspector of Police,
Kottakuppam Police Station,
Villupuram District.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent herein viz., The Inspector of Police, Kottakuppam Police Station, Villupuram District not to harass the petitioners herein unnecessarily.

For Petitioner : Mr.A.Murugavel

For Respondent : Mr.S.Santhosh
Government Advocate(CrI.side)

ORDER



Crl.OP.No.4840 of 2023

This Criminal Original Petition has been filed to direct the respondent herein viz., The Inspector of Police, Kottakuppam Police Station, Villupuram District not to harass the petitioners herein unnecessarily.

2. The learned counsel for the petitioner submitted that 1st & 2nd petitioner are husband and wife and 3rd & 4th petitioners are their daughters and they have a son by name Jana @ Vimalraj. He is an accused in criminal cases, for which respondent police is unnecessarily harassing the petitioners.

3. In response, learned Government Advocate (Crl. Side) submitted that the said Jana @ Vimalraj is an accused in S.C.No.09 of 2023. NBW is pending against him. Only with a view to execute the NBW, respondent police visited the petitioners' house and therefore there is no harassment.

4. It is the grievance of the petitioners 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 petitioners have complained of



CrI.OP.No.4840 of 2023

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 petitioners 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.

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



Crl.OP.No.4840 of 2023

persons called upon for enquiry/investigation.

WEB COPY

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

03.03.2023

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

G.CHANDRASEKHARAN,J.



Crl.OP.No.4840 of 2023

Sma

WEB COPY

1. Inspector of Police,
Kottakuppam Police Station,
Villupuram District.

2. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.4840 of 2023

03.03.2023