



WEB COPY



Crl.OP.No.5008 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.5008 of 2023

Arunraj

... Petitioner

Vs.

The Inspector of Police,
T-19, Kelambakkam Police Station,
Pallikaranai Police District,
Tambaram City.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent herein viz., the Inspector of Police, T-19, Kelambakkam Police Station, Pallikaranai Police District, Tambaram City., not to harass the petitioner herein.

For Petitioner

: Mr.S.Praveenath

For Respondent

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

ORDER



Crl.OP.No.5008 of 2023

This Criminal Original Petition has been filed to direct the respondent herein viz., the Inspector of Police, T-19, Kelambakkam Police Station, Pallikaranai Police District, Tambaram City., not to harass the petitioner herein.

2. The learned counsel for the petitioner submitted that on the basis of the complaint given by one Nirmala, respondent police is unnecessarily harassing the petitioner under the garb of enquiry.

3. The learned Government Advocate (Crl. Side) submitted that based on the complaint lodged by one Nirmala in connection with running School, enquiry is pending in C.S.R.No.973 of 2022.

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



Crl.OP.No.5008 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 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.

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.5008 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

To

4/6



Crl.OP.No.5008 of 2023

1. The Inspector of Police,
T-19, Kelambakkam Police Station,
Pallikaranai Police District,
Tambaram City.
2. The Public Prosecutor,
High Court of Madras, Chennai.



WEB COPY



Crl.OP.No.5008 of 2023

G.CHANDRASEKHARAN,J.

Sma

Crl.O.P.No.5008 of 2023

03.03.2023