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Crl.O.P.No.9774 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.9774 of 2023

S.Sivakumar

...Petitioner

Vs.

1.The Sate rep by
The Commissioner of Police,
Coimbatore city.

2.The Assistant Commissioner of Police,
Coimbatore City West ,
R.S.Puram, Coimbatore.

3.The Inspector of Police,
B2, R.S.Puram Police Station,
Coimbatore.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to direct the respondents 2 and 3 not to harass the petitioner.

For Petitioner : Mr.K.Balasubramaniam
For Respondents : Mr.S.Santhosh
Government Advocate (crl.side)



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ORDER

This petition has been filed seeking direction to the respondents 2 and 3 not to harass the petitioner.

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

3.The learned counsel appearing for the petitioner submits that the respondent police harassed the petitioner under the guise of enquiry.

4.The learned Government Advocate (crl.side) appearing for the respondents submitted that already the FIR has been registered against the petitioner in Crime No.45 of 2023. The case where the FIR is pending against the petitioner, there is no scope for this Court to entertain the petition under Section 482 of Cr.P.C., under the caption "Not to harass".

5.Under such circumstances, once the regular FIR has been registered, the question of “Not to harass” will not arise. Any direction



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issued by this Court at this stage will amount to interfering with the investigation conducted by the respondent police. Hence, this Criminal Original petition is dismissed.

04.05.2023

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

vkr

To

1. The Commissioner of Police,
Coimbatore city.
2. The Assistant Commissioner of Police,
Coimbatore City West ,
R.S.Puram, Coimbatore.
3. The Inspector of Police,
B2, R.S.Puram Police Station,
Coimbatore.
4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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