



WEB COPY



Crl.O.P.No.20669 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20669 of 2023

N.Karpagavalli,
W/o.late M.Narayanasamy

... Petitioner

Vs.

The State,
Represented by the Inspector of Police (Crime),
M-5, Ennore Police Station,
Ennore, Chennai-600057.

.. Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent not to harass the petitioner under the guise of enquiry pursuant to the summons, dated 19.08.2023 and the petitioner is ready and willing to co-operate with the respondent for enquiry in accordance with law.

For Petitioner : Mr.R.Munuswamy

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed for a direction to the respondent not to harass the petitioner under the guise of enquiry pursuant to the summons, dated 19.08.2023 in accordance with law.

2. The learned Additional Public Prosecutor on instructions submitted that the petitioner was called for an enquiry after issuing a notice under Section 41A of Cr.PC.

3. In the considered view of this Court, when a notice is issued under Section 41A of Cr.PC, the petitioner is bound to attend the enquiry. A petition for not to harass will not lie when the police have formally issued a notice under Section 41A of Cr.PC.

4. In the light of the above, this Criminal Original petition is dismissed.

11.09.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
pal/rka



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To
WEB COPY

1. The Inspector of Police (Crime),
M-5, Ennore Police Station,
Ennore, Chennai-600057.

2. The Public Prosecutor
High Court of Madras,
Madras.



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N.ANAND VENKATESH, J

pal/rka

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