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CrI.O.P.No.25090 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.25090 of 2022

1.Mohamed Ibrahim
2.Habeeb Nachiya

... Petitioners

Vs.

1.The Superintendent of Police,
Karaikal District,
Puducherry.

2.The Inspector of Police,
Town Police Station,
Karikal Town, Karaikal District,
Puducherry.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to direct the respondents not to harass the petitioners and the petitioners' family members under the guise of enquiry.

For Petitioners : Mr.P.Suresh Babu

For Respondent : Mr.K.S.Mohandass
Public Prosecutor [Puducherry]



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ORDER

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The petitioners approached this Court seeking for a direction to the respondent police not to harass the petitioners alleging that the second respondent under the guise of enquiry for a civil dispute is harassing the petitioners and though the petitioners sent a legal notice on 08.10.2022, the same was ignored and harassment continues.

2.Heard Mr.P.Suresh Babu, learned counsel appearing for the petitioners.

3.Learned Public Prosecutor [Puducherry] submits that the petitioners are accused in Crime No.272 of 2022 for the offence under Section 420 IPC. He would submit that one Salim Ahmed lodged a complaint against them. He would further submit that prior to registration of FIR preliminary enquiry was conducted and thereafter, FIR was registered. He further submitted that the petitioners were served with notice under Section 41A Cr.P.C. but they failed to respond to the same and directly approached this Court as though harassment has been caused. He would further submit that



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there was no harassment and there was only issuance of notice under Section 41A Cr.P.C. which is a requirement of an investigation. He further submits that the petitioners have already approached this Court and obtained anticipatory bail in the above case.

4. In view of the above submission, this Court finds no harassment and no reason to entertain this petition. Accordingly, this Criminal Original Petition is dismissed.

13.06.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
cse

To

1. The Superintendent of Police,
Karaikal District, Puducherry.
2. The Inspector of Police,
Town Police Station,
Karikal Town, Karaikal District,
Puducherry.
3. The Public Prosecutor [Puducherry],
High Court, Madras.



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M.NIRMAL KUMAR, J.

cse

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