



WEB COPY

W.P. No.29493 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

W.P.No.29493 of 2023
and WMP. No.29115 of 2023

1.S.Nandhini
2.S.Kameswaran
3.S.Lakshana

... Petitioners

-VS-

1. The Commissioner of Police-Avadi
Central Crime Branch – Type V, Qtr No.5/1,
HVF Estate, Bhakthavatsala Puram,
Avadi – 600 054.

2.The Sub-Inspector of Police,
Mr.Venkatesh, Central Crime Branch Police,
HVF Estate, Bhakthavatsala Puram,
Avadi – 600 054.

3.Mr.S.Arun Kumar

...Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 & 2 “ Not To Harass” the petitioners on the basis of complaint of the 3rd respondent S.Arunkumar except following the procedure contemplated under Law.

For Petitioners

: Mr.N.S.Sivakumar



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For Respondents 1 & 2 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

ORDER

Anticipating the arrest at the hands of the Police, the petitioner has come before this Court filing this Writ Petition seeking Mandamus not to harass him. If the Police has any material against the petitioner herein for any cognizable offence which requires custodial interrogation, it is their duty and responsibility to secure him and interrogate.

2. In anticipation, petition with prayer not to harass cannot be entertained and such orders are highly deprecated by the Hon'ble Supreme Court. In view of the parameters laid by the Hon'ble Supreme Court in the case of *Neeharika Infrastructure Pvt Ltd., /Vs/ State of Maharashtra and Others* reported in 2021 SCC Online SC 315, this Court finds that this petition does not fall within the permissible parameters. Hence, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is also dismissed. No costs.

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Internet : Yes/No
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To

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Central Crime Branch – Type V, Qtr No.5/1,
HVF Estate, Bhakthavatsala Puram,
Avadi – 600 054.
2. The Sub-Inspector of Police,
Mr. Venkatesh, Central Crime Branch Police,
HVF Estate, Bhakthavatsala Puram,
Avadi – 600 054.
3. The Public Prosecutor,
Madras High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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