



WEB COPY



Crl.O.P.No.25042 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25042 of 2023

S.Anbarasu

... Petitioner

Vs.

1.The Superintendent of Police,
Namakkal District.

2.The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.

3.Sivakumar

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to directing the Respondents 1 and 2 not to harass the petitioner by considering the representation of the petitioner herein dated 03.10.2023.

For Petitioner : Mr.R.Nalliyappan

For R1 and R2 : Mr.S.Udaya Kumar
Government Advocate (Criminal Side)



ORDER

This Criminal Original Petition is filed alleging that the police is harassing the petitioner based on the complaint given by one Sivagami.

2. However, from the instructions received from the 2nd respondent police, it appears that a case has been registered in Crime No.100 of 2023 against this petitioner and others. In spite of summons issued to the petitioner for appearance to participate in the enquiry, he has not appeared before the Investigating Officer for enquiry. The police initially registered CSR.No.11 of 2023, thereafter, register the FIR in Crime No.100 of 2023. The petitioner herein was summoned to appear for enquiry, not honoured the summon, but has filed this petition as if the police is harassing.

3. This Court on hearing both sides finds that, the petitioner without participating in the enquiry has come before this Court alleging harassment by the police. Causing notice as per the procedure established under law cannot be construed as harassment. It is the duty of the petitioner to participate in the enquiry which has been undertaken by the respondent



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police based on the complaint given by one Sivakumar. This Court finds no reason to entertain this petition, hence this Criminal Original Petition is dismissed.

01.11.2023

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

- 1.The Superintendent of Police,
Namakkal District.
- 2.The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

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