

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P.No.6337 of 2015

N.Shazad Mogrelia

...Petitioner

Vs.

The State Rep.
Inspector of Police
F-3, Nungambakkam Police Station,
Nungambakkam, Chennai-600 034.

...Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police not to harass the petitioner on the basis of the civil dispute complaint.

For Petitioner : Mr.M.Shreedhar and Associates

For Respondents : Mr.M.Maharaja
Addl. Public Prosecutor

O R D E R

Heard both sides.

2.The petitioner has come forward with this petition directing the respondent not to harass the petitioner on the basis of the complaint given by the landlord, since the petitioner is the tenant instead of resorting to legal remedy, he has preferred a complaint before the respondent. Hence, the petitioner has come forward with the above petition.

2. Learned Additional Public Prosecutor would submit that enquiry has already been conducted and it has been closed.

3. On perusal of records, it is seen that on the basis of the complaint given by the landlord, the petitioner was directed to be appeared before the respondent for enquiry on 11.02.2015.

4.Considering the submissions made on both sides, whatever may be the position, I am inclined to give a direction to the respondent not to harass the petitioner under the guise of enquiry and follow the dictum laid down in D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
F-3, Nungambakkam Police Station,
Nungambakkam,
Chennai-600 034.

2.The Public Prosecutor,
High court, Madras.104.

1 CC to Mr.M.Shreedhar and Associates, Advocate SR.No. 14815

KGK (CO)
PSI (26.03.2015)

Cr1.O.P.No.6337 of 2015

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