



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2015

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THE HONOURABLE Ms. JUSTICE R.MALACrl.O.P.(MD)No.13929 of 2015

L.Balamurugan

... Petitioner

Versus

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Theppakulam Police Station,
Theppakulam,
Madurai District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying this Court to direct the respondents not to harass the petitioner and his family members.

For Petitioner : Mr.K.Muthamil Venthan

For Respondents : Mr.P.Kannithevan

Government Advocate (Crl. Side)

O R D E R

Heard both sides.

2. The learned counsel for the petitioner submitted that the petitioner was called for enquiry on the basis of the complaint given by one K.Palraj, Mela Anupanadi, Madurai and therefore, the petitioner has come forward with this petition seeking for a direction, directing the respondents not to harass the petitioner and his family members under the guise of enquiry.

3. Restricting the same, the learned Government Advocate(Crl. Side) on instructions submitted that no petition is pending against the petitioner before the second respondent police and hence, prays for dismissal of this petition.

4. Considering the rival submissions made on both sides, even though no petition is pending, the second respondent is directed not to harass the petitioner under the guise of enquiry, but let the police investigate into the matter in accordance with law and the



mandates as found set out in *D.K.Basu Vs. State of West Bengal* reported in AIR (1997) SC 610. If really, the police want to interrogate, it is open for the police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation.

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5. With the above direction, this petition is disposed of.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub-Assistant Registrar

To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Inspector of Police,
Theppakulam Police Station,
Theppakulam,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.K.Muthamil Venthan, Advocate, SR.No.43906

pm
RL/5 c- 10/8/2015

Cr1.O.P. (MD) NO.13929 of 2015

03.08.2015