



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2015

CORAM

THE HONOURABLE Ms.JUSTICE R.MALA

Crl.O.P.(MD)No.14382 of 2015

1.Jesuraj
2.Chandraleela
3.Edwin
4.Esthar

... Petitioners

Versus

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the second respondent not to harass the petitioners and their family members under the guise of enquiry without due process of law on the basis of the petitioner's representation, dated 23.07.2015.

For Petitioner : Mr.S.Deenadhayalan
For Respondents : Mr.P.Kannithevan
Government Advocate (Crl. Side)

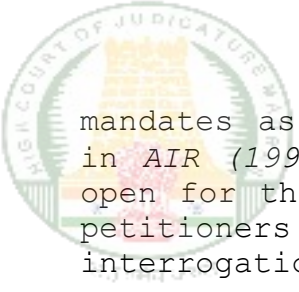
O R D E R

Heard both sides.

2. The learned counsel for the petitioners submitted that the petitioners have come forward with this petition seeking for a direction, directing the respondents not to harass the petitioners under the guise of enquiry on the basis of the complaint given by one Santhiya @ Shanmugathai.

3. The learned Government Advocate(Crl. Side) on instructions submitted that on the basis of the complaint given by one Santhiya @ Shanmugathai, the petitioners were called for enquiry and enquiry notice has also been issued to the petitioners, but the petitioners have come forward with the false complaint and hence, prays for dismissal of this Criminal Original Petition.

4. Considering the submissions made on both sides, the second respondent police is directed not to harass the petitioners, 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 petitioners. Thereupon, the petitioners shall appear before the police and submit themselves for interrogation.

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

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Deenadhayan, Advocate SR.No.43471

Cr1.O.P. (MD) No.14382 of 2015
03.08.2015

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