



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2015

CORAM

THE HONOURABLE Ms.JUSTICE R.MALA

Crl.O.P. (MD) No.14667 of 2015

V.F.Theenan

... Petitioner

Versus

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Kodaikanal Police Station,
Dindigul 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 petitioner without any legally sustainable complaint and to abide by the guidelines in D.K.Basu case in 1997 1 SCC 416.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.P.Kannithevan

Government Advocate (Crl. Side)

ORDER

Heard both sides.

2. The learned counsel for the petitioner submitted that the petitioner has come forward with this petition seeking for a direction, directing the second respondent not to harass the petitioner under the guise of enquiry stating that the petitioner met with an accident on 17.07.2015 near Paradise Restaurant, but no-one injured in that accident. But, on 17.07.2015 at about 11.30 p.m., there was a two wheeler accident and there was a spot death in that accident and therefore, the police officials threatened the petitioner, from 26.07.2015 to accept the offence, which was done by some other person, hence the petitioner has come forward with this petition.

3. Resisting the same, the learned Government Advocate(Crl. Side) on instructions submitted that for the accident occurred due to the negligence on the part of the petitioner C.S.R.No.289/15 was registered and after enquiry, the same was closed on 29.07.2015 and



now, neither a case nor a petition enquiry is pending against the petitioner on the file the second respondent police.

4. Recording the said submission, this Criminal Original Petition is disposed of. However, whatever might be the circumstances, there shall be no harassment to the petitioner, 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.

Sd/-

Assistant Registrar()

/True copy/

Sub Assistant Registrar

pm
To

1.The Superintendent of Police, Dindigul District.

2.The Inspector of Police,
Kodaikanal Police Station, Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+one cc to M/s.R.Venkatesan, Advocate in SR.No.43647.

Cr1.O.P.(MD)No.14768 of 2015
03.08.2015

CSL 12/08/2015
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