



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2015

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THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P. (MD)No.15255 of 2015

1.Alagupatchi
2.K.Mayandi : Petitioners

Versus

1.The Superintendent of Police,
Tirunelveli District.
2.The Inspector of Police,
Taluk Police Station,
Tirunelveli Town. : Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying this court to direct the second respondent not to harass the petitioners on the guise of enquiry on the process of search of one Mari, son of Sankaravel Thevar.

For Petitioners : Mr.K.R.Laxman
For Respondents : Mr.K.Anbarasan,
Government Advocate (Cr1. Side)

O R D E R

The petitioners have come forward with this petition seeking for a direction, directing the second respondent not to harass the petitioners on the guise of enquiry on the process of search of one Mari, son of Sankaravel Thevar.

2. The learned counsel for the petitioners would submit that the petitioners were subjected to harassment at the hands of the respondent police, on the basis of the murder case where one Mari is arrayed as an accused, and as such, the second respondent is harassing the petitioners under the guise of enquiry and hence, the petitioners have come forward with this petition for the above stated relief.

3. The learned Government Advocate (Criminal side), on instructions, would submit that there was a dispute between the father and son, a case in Crime No.150 of 2015 has been registered for offence under Section 302 I.P.C against one Mari, who is the close friend of the first petitioner. In order to get some particulars, they were called for enquiry and they are not harassed.

4. Considering the rival submissions made on both sides, the second respondent is directed not to harass the petitioners under the guise of enquiry, but let the police investigate into the matter in accordance with the 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. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

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To

1.The Superintendent of Police, Tirunelveli District.

2.The Inspector of Police,
Taluk Police Station, Tirunelveli Town.

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

+one cc to M/s.K.R.LAXMAN, Advocate in SR.No.44533

Order made in
Cr1.O.P.(MD)No.15255 of 2015
Dated:06.08.2015

CSL/GSV-PM/SAR(J) / 28/08/2015
2P/5C