



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P. (MD)No.15380 of 2015

1.Selva Murugan
2.Kasi
3.Punnaiyammal

: Petitioners

Versus

1.The State represented by,
The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
All Women Police Station,
Sathur,
Virudhunagar District.

3.Chithra Devi

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Inspector of Police, All Women Police Station, Sathur, Virudhunagar District, the second respondent herein, not to harass the petitioners without due process of law under the guise of conducting enquiry based upon the complaint given by the third respondent.

For Petitioner : Mr.R.Anand
For R-1 & R-2 : Mr.R.Karthikeyan,
Additional Government Pleader

ORDER

Heard both sides.

2. The learned counsel for the petitioner would submit that the second respondent is harassing the petitioner under the guise of enquiry and hence, the petitioner has come forward with this petition for the above stated relief.

3. The learned Government Advocate (Criminal side), on instructions, would submit that based on the complaint given by the third respondent, who is the wife of the petitioner, a case in Crime No.17 of 2015 has been registered for the offence under Sections 498 (A), 406 and 506(i) of I.P.C and Section 4 of Dowry Prohibition Act.



4. Considering the rival submissions made on both sides, 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.

5. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
All Women Police Station,
Sathur,
Virudhunagar District.

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

+1cc to Mr.R.Anand, Advocate Sr.No.45149

akm/18.08.2015 /2p-5c/

Order made in
Crl.O.P. (MD) No.15380 of 2015
Dated: 10.08.2015