



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P. (MD)No.16435 of 2015

1.S.A.Habibulla

2.Hameetha

3.H.Imthiyas

: Petitioners

Vs.

1.The Superintendent of Police,
Theni, Theni District.2.The Deputy Superintendent of Police,
Theni, Theni District.

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the second respondent herein not to harass the petitioners in the guise of enquiry.

For Petitioners

: Mr.A.M.Raja

For Respondents

: Mr.Kannidevan

Government Advocate (Crl. Side)

ORDER

Heard both sides.

2. The learned counsel for the petitioners would submit that the respondent are 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 on the basis of the complaint given against the petitioners and others, petition enquiry in current paper in 766/DOT/15 is pending.

4. Recording the said submission, the respondents are directed not to harass the petitioners 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 petitioners. Thereupon, the petitioners shall appear before the police and submit himself for interrogation.

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

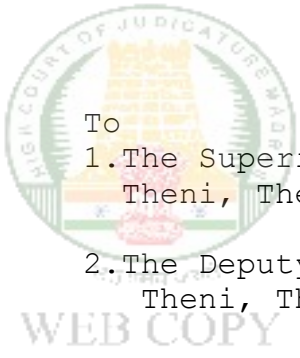
Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

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To

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

2.The Deputy Superintendent of Police,
Theni, Theni District.

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

Order made in
Crl.O.P. (MD) No.16435 of 2015
Dated:26.08.2015

CSL/NGM-SS/10.09.2015
2p/4c