



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.(MD)No.16476 of 2015

Meenakshi Sundari : Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
Vilakkuthoon Police Station(Crime),
Madurai.

3.Naresh : 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 petitioner under the guise of the enquiry on the complaint preferred by the third respondent and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.V.P.Rajan
For R1 & R2 : Mr.Kannithevan
Government Advocate (Crl. Side)

ORDER

Heard both sides.

2. The learned counsel for the petitioner would submit that the petitioner's son is facing criminal case and the petitioner is called for enquiry and hence, the petitioner has come forward with this petition for the above stated relief.

3. At this juncture, the learned Government Advocate (Criminal side), on instructions, would submit that the son of the petitioner alone is facing criminal case in Crime No. 787 of 2015 for the offence under Sections 406 and 420 IPC and the petitioner, who is the mother of the accused, was never called for enquiry and hence there is no harassment.

4. Recording the said submission, the respondents are 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 (Writ)

/True Copy/

Sub Assistant Registrar

To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Inspector of Police,
Vilakkuthoon Police Station(Crime),
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SES
TE/SS-NGM/SAR(PA) 09/09/2015 2P/4C

Order made in
Crl.O.P. (MD) No.16476 of 2015
Dated:
26.08.2015