



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.(MD)No.16820 of 2015

1.P.Sudalai
2.M.Esakki

: Petitioners

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Sub Inspector of Police,
Alwarkuruchi Police Station,
Tirunelveli District.

3.M.Sundaram

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the respondents particularly the second respondent not to harass the petitioners in the name of enquiry and pass any such further or other orders or orders as this Court may deem fit and proper under the circumstances of the case.

For Petitioner : Mr.R.Karthick

For R1 & R2 : Mr.P.Kannithevan

Government Advocate (Crl. Side)

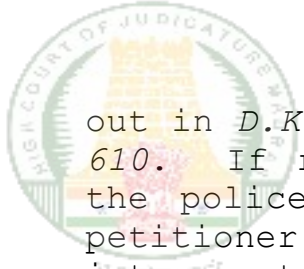
ORDER

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 on the basis of the complaint given by one Sundaram, petition enquiry is pending in CSR No.271 of 2015.

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.

WEB COPY

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

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Tirunelveli District.
- 2.The Sub Inspector of Police,
Alwarkuruchi Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.R.KARTHICK, ADVOCATE IN SR NO. 50730

SES

TE/GSV-PM/ 09/09/2015 2P/5C

Order made in
Crl.O.P.(MD)No.16820 of 2015

Dated:
01.09.2015