



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.(MD)No.16840 of 2015

1.Manikandan
2.Mariappan

: Petitioners

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli.

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the second respondent not to harass the petitioner and his family members under the guise of enquiry.

For Petitioner : Mr.D.Anbarasu
For Respondents : 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 the petitioner is arrayed as accused in Crime No.427 of 2015 and Section 110 Cr.P.C proceedings have been initiated.

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 *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(RTI)

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/True copy/

Sub Assistant Registrar

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To

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli.

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

+one cc to M/s.D.Anbarasu, Advocate in SR.No.50522

Order made in
Crl.O.P. (MD) No.16840 of 2015
Dated:01.09.2015

CSL/AN-MP/11.09.2015
2p/5c