



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2015

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THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P. (MD)No.16875 of 2015

P.G.Senthilkumar

: Petitioner

Versus

The State rep. By its
The Inspector of Police,
D-1, Thallakulam Police Station(L & O),
Madurai. : Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the respondent herein not to harass the petitioner in the name of enquiry without due process of law and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.S.Ramasamy

For Respondent : Mr.P.Kannithevan

Government Advocate (Crl. Side)

O R D E R

Heard both sides.

2. The learned counsel for the petitioner would submit that the 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 against unknown accused, the respondent is conducting enquiry and they suspected the petitioner as accused.

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



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

Sd/-
Assistant Registrar (RTI)

/True Copy/

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Sub Assistant Registrar

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To

1.The Inspector of Police,
D-1, Thallakulam Police Station(L & O),
Madurai.

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

+1CC to M/S.S.Ramasamy Advocate Sr.No.50445

GJM/NGM/SS/9.9.15-2P-4C

Order made in
Crl.O.P. (MD) No.16875 of 2015
Dated:01.09.2015