



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition(MD) No.18330 of 2015

WEB COPY

Periya Thirumeni

: Petitioner

Vs.

1.The Superintendent of Police,
District Police Office,
Madurai Rural.

2.State through Sub Inspector of Police,
Nagaiyapuram Police Station,
Madurai Rural.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure praying to direct the second respondent not to harass the petitioner based on his representation dated 10.09.2015.

For Petitioner : Mr.KR.Singaravadivel

For Respondents : Mr.k.Anbarasan

Government Advocate(Crl. Side)

O R D E R

Heard both sides.

2. The petitioner has come forward with this petition seeking for a direction, directing the second respondent not to harass the petitioner based on his representation dated 10.09.2015.

3. At this juncture, the learned Government Advocate (Criminal Side), on instructions, would submit that neither a case nor a petition enquiry is pending against the petitioner on the file of the respondent police, but, the proceedings under Section 107 Cr.P.C is pending as 'A' party and 'B' party.

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.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(AE)

/True Copy/



To,

1.The Superintendent of Police,
District Police Office,
Madurai Rural.

2.The Sub Inspector of Police,
Nagaiyapuram Police Station,
Madurai Rural.

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

+1 cc to MR.K.R.Singaravadivel, ADVOCATE, SR No.56274

SH/JGB:20.10.15/2P-5C

Order made in
Criminal Original Petition(MD) No.18330 of 2015
Dated:23.09.2015