



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2015

CORAM

**THE HONOURABLE MS. JUSTICE R.MALA**

Crl.O.P.(MD)No.18333 of 2015

B.Pandiyarajan

: Petitioner

Versus

1.The Superintendent of Police,  
Dindigul,  
Dindigul District.

2.The Deputy Superintendent of Police,  
Ottanchathiram,  
Dindigul District.

3.The Inspector of Police,  
Sempatti Police Station,  
Sempatti

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the respondents thereby not to harass the petitioner and his family members without following the due process of law.

For Petitioner

: Mr.K.Prabhakaran

For Respondents

: Mr.K.Anbarasan

Government Advocate (Crl. Side)

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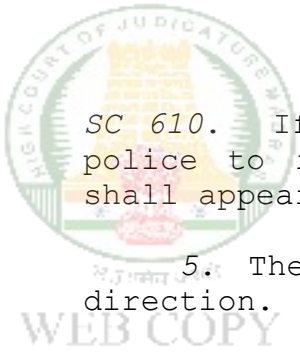
O R D E R

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 no complaint against the petitioner is pending, but the brother of the petitioner was murdered and the case is registered in Crime NO. 294 of 2015 for the offence under Section 302 IPC and for enquiry purpose, the petitioner was called and there is no harassment.

4. Recording the same, the third 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. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (Per.Admn)

/True Copy/

Sub Assistant Registrar

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To

- 1.The Superintendent of Police,  
Dindigul,  
Dindigul District.
- 2.The Deputy Superintendent of Police,  
Ottanchathiram,  
Dindigul District.
- 3.The Inspector of Police,  
Sempatti Police Station,  
Sempatti
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

GJM/JGB/7.10.15-2P-5C

Order made in  
Crl.O.P. (MD) No.18333 of 2015  
Dated:23.09.2015