



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.(MD)No.20673 of 2015

1.V.Bose

2.Ramu

: Petitioners

Versus

1.The Superintendent of Police,
Dindigul District.

2.The Sub-Inspector of Police,
Nilakkottai Police Station,
Dindigul

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the second respondent herein not to harass the petitioners in the guise of enquiry on any frivolous complaint from defacto complainant in a civil dispute.

For Petitioners

: Mr.V.Pandiyan

For Respondents

: Mr.P.Kannithevan,

Government Advocate (Crl. Side)

O R D E R

Heard both sides.

2. The learned counsel for the petitioners would submit that the second respondent is harassing the petitioners under the guise of enquiry and hence, the petitioners have come forward with this petition for the above stated relief.

3. The learned Government Advocate (Criminal side), on instructions, would submit that based on the complaint given by one Mallika / the defacto complainant, petition enquiry in CSR.No.360 of 2015 is pending.

4. Considering the rival submissions made on both sides, the second respondent is directed not to harass the petitioners 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 petitioners. Thereupon, the petitioners shall appear before the police and submit themselves for interrogation.

