



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Cr1.O.P.(MD)No.21398 of 2015

P.Abdulkathar

... Petitioner

Vs

1.The Commissioner of Police,
Madurai City,
Madurai-625 001.

2.The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.

... Respondents

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent not to harass the petitioner and not to interfere in the civil dispute.

For Petitioner :Mr.C.Jeyaprakash

For Respondents :Mr.A.P.Balasubramani
Govt.Advocate (Cr1.Side).

ORDER

The petitioner has come forward with this application, seeking for a direction to the second respondent not to harass the petitioner and not to interfere in the civil dispute.

2. I have heard the learned counsel appearing on either side and perused the materials available on record.

3. The learned Government Advocate (Cr1.side), on instruction, would submit that there is a complaint against the petitioner by the defacto complainant, for which the petitioner has been called for enquiry and there is no such harassment against the petitioner and if any interrogation is needed by the respondent against the petitioner, the norms which are mentioned in the Judgement of Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610***, would be followed in case of interrogation or any further investigation. He would further submit that there will not be any harassment against the petitioner and the enquiry or interrogation would be done in accordance with law.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Even though the petitioner has stated that it is a landlord and tenant dispute, since a crime in Cr.No.948 of 2015 is pending in which the



petitioner is arrayed as accused, the respondent police is entitled to investigate the matter by interrogating the petitioner in a proper manner. According to the submissions made by the learned Government Advocate (Crl.side), there was no harassment done by the police to the petitioner. He would also state that there will not be any harassment in future also.

5. Recording the statement of the learned Government Advocate (Crl.side) that the respondent police will not harass the petitioner in future under the guise of any enquiry, the criminal original Petition is closed. The petitioner cannot use this order to evade the enquiry that is going to be conducted and if any interrogation is needed from the police with regard to any enquiry, it is the duty cast upon the petitioner to participate and co-operate for the enquiry.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

To

- 1.The Commissioner of Police,
Madurai City,
Madurai-625 001.
- 2.The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

TS/26.11.2015/2P-4C/GSV-PM

Crl.O.P. (MD) No.21398 of 2015

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