



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD)No.21436 of 2015

1.G.Karthikeyan
2.T.A.Magudeeswaran

... Petitioners

Vs.

The Inspector of Police,
District Crime Branch,
Dindigul.

... Respondent

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police not to harass the petitioners herein.

For Petitioner :Ms.Porkodi Karnan
for M/s Polax Legal Solutions

For Respondent :Mr.A.P.Balasubramani
Govt.Advocate (Crl.Side).

ORDER

The petitioners have come forward with this application, seeking for a direction to the respondent not to harass the petitioners in the name of enquiry.

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

3. The learned Government Advocate (Crl.side), on instruction, would submit that there is a complaint against the petitioners by the defacto complainant, for which the petitioners have been called for enquiry and there is no such harassment against the petitioners and if any interrogation is needed by the respondent against the petitioners, 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 petitioners and the enquiry or interrogation would be done in accordance with law.

4. Considering the submissions made on both sides, the respondent police is entitled to investigate the matter by interrogating the petitioners 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 petitioners. 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 petitioners in future under the guise of any enquiry, the criminal original Petition is closed. The petitioners 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 petitioners to participate and co-operate for the enquiry.

Sd/-
Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
District Crime Branch,
Dindigul.

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

+1cc to M/s. Polax Legal Solutions, Advocate Sr.No.65334

akm/24.11.15 /2p-4c/

Cr1.O.P. (MD) No.21436 of 2015
06.11.2015