



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Cr1.O.P. (MD)No.21624 of 2015

Ramar

... Petitioner/Aggrieved Person

Vs

1.The State represented by
The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Puliyankudi Police Station,
Tirunelveli District.

... Respondents/Respondents

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent not to harass the petitioner and his family members under the garb of conducting an enquiry without due process of law.

For Petitioner :Mr.M.Pitchai Muthu

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

ORDER

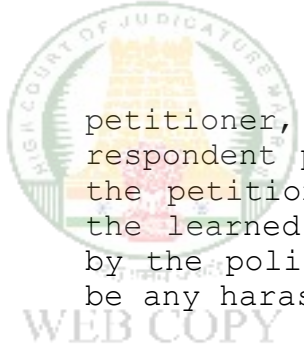
The petitioner has come forward with this application, seeking for a direction to the second respondent not to harass the petitioner and his family members under the garb of conducting an enquiry, without due process of law.

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 are six previous cases against the petitioner, 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. Since there are seven previous cases are pending against the



petitioner, 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 disposed of. 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(CS-II)

/True copy/

Sub Assistant Registrar

MPK
To

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

2.The Inspector of Police,
Puliyankudi Police Station,
Tirunelveli District.

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

CSL/SKS-RR/01.12.2015
2P/4C

Crl.O.P. (MD) No.21624 of 2015
17.11.2015