



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2015

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

CrI.O.P.(MD) No.21919 of 2015

WEB COPY

K.P.Sethu

... Petitioner

Vs.

1. The Superintendent of Police,
Theni,
Theni District.
2. The Deputy Superintendent of Police,
Theni,
Theni District.
3. The Inspector of Police,
Allinagaram Police Station,
Theni,
Theni District.

.. Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the third respondent not to harass the petitioner and his family members.

For Petitioner : Mr.S.Muthukumar
For Respondents: Mr.A.P.Balasubramani
Govt. Advocate (CrI.Side)

O R D E R

This petition has been filed under Section 482 Cr.P.C., directing the third respondent not to harass the petitioner and his family members.

2.The counsel for the petitioner submitted that out of four cases, the petitioner has been acquitted in three cases and that the cases are more than seven years old. However, the third respondent police is harassing the petitioner in the guise of enquiry.

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

4.The Government Advocate (CrI.side), on instruction, would submit that four cases are pending against the petitioner under the NDPS Act and the petitioner was called for enquiry and that there is no such harassment against the petitioner and if any complaint is received against the petitioner and any interrogation is needed by the respondent against the petitioner, the norms which are mentioned in the Judgement of *D.K.Basu Vs. State of West Bengal* reported in AIR (1997) SC 610, would be followed. 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.

5. Recording the statement of the 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 (T&P)

/True copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Theni,
Theni District.
2. The Deputy Superintendent of Police,
Theni,
Theni District.
3. The Inspector of Police,
Allinagaram Police Station,
Theni,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.S.Muthukumar, Advocate, SR No.66665

Crl.O.P. (MD) No.21919 of 2015
20.11.2015

srm

SH/KBM:21.12.2015:2P/6C