



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

CRL.OP.(MD)No.22037 of 2015

P.Rajendran : Petitioner
Vs.

1.The Commissioner of Police,
Trichy City,
Trichy.

2.The Assistant Commissioner of Police,
Cantonment Police Station (Range),
Trichy.

3.The Sub-Inspector of Police(SSI),
Cantonment Police Station,
Trichy. : Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the second respondent not to harass the petitioner under the guise of enquiry and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner :Mr.A.Chandrakumar
For Respondents :Mr.A.P.Balasubramani
Government Advocate(Crl. Side)

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the second respondent not to harass the petitioner under the guise of enquiry.

2. The learned Government Advocate (Criminal side), on instructions, would submit that the petition enquiry has been conducted and after due enquiry, the petition has been closed and there is no such harassment.

3. I have heard the learned counsel appearing on either side.

4. Considering the rival submissions made on both sides, the respondent is directed not to harass the petitioner 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 respondent police want to interrogate, it is open for the police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation.



5. The Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To,
1. The Commissioner of Police,
Trichy City,
Trichy.

2. The Assistant Commissioner of Police,
Cantonment Police Station (Range),
Trichy.

3. The Sub-Inspector of Police (SSI),
Cantonment Police Station,
Trichy.

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

+1cc to Mr. A. Chandrakumar, Advocate SR.No.66824

sm:sk-skn:AR II:30.11.2015:2P/6C

Order made in
CRL.OP. (MD) No.22037 of 2015
Dated:-
23.11.2015