



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2015

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

CRL.OP.(MD)No.22043 of 2015

Dhivan : Petitioner
Vs.

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

2.The Inspector of Police (SSI),
Avaniyapuram Police Station,
Madurai City.

3.Mr.Sethumani Madhavan,
The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

4.Mr.Azhagu Muthu
The Sub Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents 2 to 4 not to harass the petitioner and his family members in the name of enquiry and pass such further or other orders as this Court may deem fit.

For Petitioner : Mr.M.Solaisamy

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

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the respondents 2 to 4 not to harass the petitioner and his family members in the name 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(AS)

/True Copy/

Sub Assistant Registrar

To,

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

2.The Inspector of Police(SSI),
Avaniyapuram Police Station,
Madurai City.

3.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

4.The Sub Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

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

AA/NGM-SS/AR-I/30.11.2015/2p-6c

Order made in

CRL.OP. (MD) No.22043 of 2015

Dated:-23.11.2015