



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

CRL.OP.(MD)No.22081 of 2015

1.Kamarudeen
2.Anwar Hussain
3.Bilal

: Petitioners

Vs.

1.The State rep. By its
The Inspector of Police,
Town South Police Station,
Dindigul.

2.Beer Mohamed

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the first respondent not to interfere the civil dispute and not to harass the petitioners on the basis of the complaint given by the second respondent and pass any other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioners : Mr.S.Balaji

For Respondents : Mr.A.P.Balasubramani

Government Advocate(Crl. Side)

ORDER

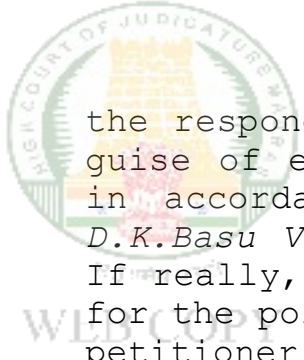
The petitioners have come forward with this petition seeking for a direction, directing the first respondent not to interfere the civil dispute and not to harass the petitioners on the basis of the complaint given by the second respondent.

2. The learned Government Advocate (Criminal side), on instructions, would submit that the petition enquiry has been conducted and since both parties agreed to get remedy from appropriate forum, the petition has been closed and there is no such harassment and the respondent police would not interfere with the civil dispute.

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

<https://hcservices.ecourts.gov.in/hcservices/>

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 (CO)

/True Copy/

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Town South Police Station,
Dindigul.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.S.BALAJI, ADVOCATE IN SR NO. 66886

CM
TE/SL-SKN/ 02/12/2015 : 2P/4C

Order made in
CRL.OP.(MD)No.22081 of 2015
Dated:-
23.11.2015