



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2015

CORAM:

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

CRL.OP.(MD)Nos.23755, 23769, 23770, 23846 and 18244 of 2015

SORNAM	... PETITIONER in CRL OP(MD) No.23755 of 2015
JOSEPH JEYAKUMAR SAHAYARAJ	... PETITIONER in CRL OP(MD) No.23769 of 2015
S.SELVAKUMAR	... PETITIONER in CRL OP(MD) No.23770 of 2015
BRINDHA	... PETITIONER in CRL OP(MD) No.23846 of 2015
MRS. GOMATHI	... PETITIONER in CRL OP(MD) No.18244 of 2015

-VS-

- 1 THE SUPERINTENDENT OF POLICE,
SIVAGANGAI DISTRICT.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
DEVAKKOTTAI, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
DEVAKKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE SUB-INSPECTOR OF POLICE,
ARAVAYAL POLICE STATION,
SIVAGANGAI DISTRICT. ... RESPONDENTS in CRL OP(MD) No.23755 of 2015

- 1 THE COMMISSIONER OF POLICE,
MADURAI.
- 2 State Rep.by
THE INSPECTOR OF POLICE, (L&O)
KARIMEDU POLICE STATION, MADURAI.
- 3 THE INSPECTOR OF POLICE(CRIME)
KARIMEDU POLICE STATION MADURAI
- 4 THE SUB INSPECTOR OF POLICE,
(L & O) KARIMEDU POLICE STATION,
MADURAI. ... RESPONDENTS in CRL OP(MD) No.23769 of 2015

THE INSPECTOR OF POLICE,
TIRUNAGAR POLICE STATION,
MADURAI CITY -625 006. ... RESPONDENTS in CRL OP(MD) No.23770 of 2015

- 1 THE SUPERINTENDENT OF POLICE,
THENI, THENI DISTRICT.



2 THE SUB INSPECTOR OF POLICE,
PALANICHETTYPATTI POLICE STATION ,
PALANICHETTY PATTI,
THENI DISTRICT. ... RESPONDENTS in CRL OP(MD) No.23846 of 2015

1 THE SUPEREINDENT OF POLICE,
THIRUNELVELI DISTRICT.

2 THE INSPECTOR OF POLICE,
THEVARKULAM POLICE STATION,
THIRUNELVELI DISTRICT.

3 MRS. MARIAMMAL,
W/O. UDAIYAR, CHITHAMBARAPURAM VILLAGE
SAMBAKULAM,
KALUGUMALAI VIA, SANKARANKOVIL TK,
TIRUNELVELI DT,

(R3 IMPEADED AS PER THE
ORDER DATED 25/11/2015 in
MP(MD)No.1/2015 in
Crl.OP(MD)No.18244/2015) .. RESPONDENTS in CRL OP(MD) No.18244 of 2015

Prayer in CRL OP(MD) No.23755 of 2015:

Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the 4th Respondent not to harass the petitioner by interfering in the civil dispute of the petitioner under the guise of enquiry.

Prayer in CRL OP(MD) No.23769 of 2015:

Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents not to harass the petitioner under the guise of enquiry on basis of the complaint of one Mr.Xavier

Prayer in CRL OP(MD) No.23770 of 2015:

Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondent not to harass the petitioner unlawfully in civil dispute.

Prayer in CRL OP(MD) No.23846 of 2015:

Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the Respondents No.2 not to harass the petitioner in the name of enquiry and to direct the Respondent No.2 to follow guidelines issued by the Honble supreme court in D.K.Basu's case in matters pertaining to arrest or interrogation.

Prayer in CRL OP(MD) No.18244 of 2015:

Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the 1 st respondent to direct the 2 nd respondent not to harass this petitioner in the name of enquiry in the alleged complaint given by said Mariammal, wife of Udaiyar, resident of Chithambarapuram village, Sambakulam post, kalugumalai Via, Sankarankovil taluk, Thirunelveli District, may deem fit.



M/S V.MAHARAJAN ... for PETITIONER in CRL OP(MD) No.23770 of 2015
M/S R.VENKATESAN ... for PETITIONER in CRL OP(MD) No.23846 of 2015
M/S.B.RAJESH SARAVANAN... for PETITIONER in CRL OP(MD) No.18244 of 2015

For Respondents

... Mr.A.P.Balasubramani
Government Advocate (Crl.Side) in all Crl.OPs

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COMMON ORDER

The petitioners have come forward with these petitions seeking for a direction, directing the respondents and their subordinates not to harass the petitioners under the guise of enquiry and to follow the due process of law.

2. The Government Advocate (Criminal side), on instructions, would submit that petition enquiry is pending.

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

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

5. The Criminal Original Petitions are disposed of with the above direction.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

RR

1.THE COMMISSIONER, OF POLICE MADURAI.

2. THE SUPERINTENDENT OF POLICE, SIVAGANGAI DISTRICT.

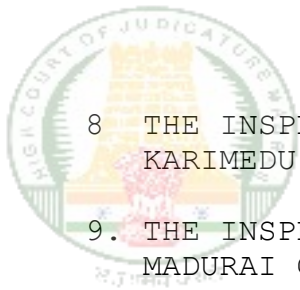
3. THE SUPERINTENDENT OF POLICE, THENI, THENI DISTRICT.

4. THE SUPERINTENDENT OF POLICE, THIRUNELVELI DISTRICT.

5 THE DEPUTY SUPERINTENDENT OF POLICE,
DEVAKKOTTAI, SIVAGANGAI DISTRICT.

6 THE INSPECTOR OF POLICE,DEVAKKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

7 THE INSPECTOR OF POLICE, (L&O)
<https://hcservices.ecourts.gov.in/hcservices/>
KARIMEDU POLICE STATION, MADURAI.



8 THE INSPECTOR OF POLICE (CRIME),
KARIMEDU POLICE STATION, MADURAI.

9. THE INSPECTOR OF POLICE, TIRUNAGAR POLICE STATION,
MADURAI CITY-625 006.

10. THE INSPECTOR OF POLICE, THEVARKULAM POLICE STATION,
THIRUNELVELI DISTRICT.

11. THE SUB-INSPECTOR OF POLICE, ARAAVAYAL POLICE STATION,
SIVAGANGAI DISTRICT.

12. THE SUB-INSPECTOR OF POLICE, (L&O), KARIMEDU POLICE STATION,
MADURAI.

13. THE SUB INSPECTOR OF POLICE, PALANICHETTYPATTI POLICE STATION ,
PALANICHETTY PATTI, THENI DISTRICT.

14. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC to Mr.A.Robinson Advocate Sr.No.71550

+1CC to Mr.R.Babu Jeganathi Advocate Sr.No.71545

+1CC to Mr.V.Maharajan Advocate Sr.No.71743

+1CC to Mr.R.Venkatesan Advocate Sr.No.71589

+1CC to Mr.B.Rajesh Saravanan Advocate Sr.No.71826

GJM/PM/MP/12.2.2016-4p-20C

Order made in
CRL.OP.(MD)Nos.23755, 23769, 23770, 23846
and 18244 of 2015
Dated:-15.12.2015