

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CrI.O.P.No.3405 of 2016

1.Pushpalatha
2.Chittibabu

... Petitioners

Vs.

1. The Superintendent of Police
Kancheepuram District.

2. The Inspector of Police,
Maraimalai Nagar Police Station,
Kancheepuram District.
Cr.No.59 of 2016

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent police not to harass the petitioners under the guise of FIR in Crime No.59 of 2016 on the file of respondent police, as per the order of the anticipatory bail already enlarged by this Hon'ble High Court in CrI.O.P.No.1282 of 2016 order dated 05.01.2016.

For Petitioners : Mr.D.Magesh

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioners have come forward with this petition seeking a direction to the respondent police not to harass the petitioners under the guise of FIR in Crime No.59 of 2016 on the file of respondent police.

2.Heard the learned counsel appearing for the petitioners as well as the learned Additional Public Prosecutor.

3.The learned counsel appearing for the petitioners would submit that the petitioners have also obtained anticipatory bail, but the respondents under the guise of enquiry is frequently calling the petitioners and harassing them and hence, he prayed for the above stated relief.

4.At this juncture, the learned Additional Public Prosecutor would submit that it is true that the petitioners are the accused in Crime No.59 of 2016, but they obtained anticipatory bail without furnishing the crime number. He further submitted that the petitioners are not co-operating for interrogation and once they are called for interrogation, immediately, they file the petition. Hence, he prayed for dismissal of the petition.

5.Considering the rival submissions, since the petitioners are arrayed as accused in Crime No.59 of 2016, the petitioners are directed to submit themselves for interrogation. 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.

6.With the above direction, this Criminal Original Petition is disposed of.

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s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police
Kancheepuram District.
2. The Inspector of Police,
Maraimalai Nagar Police Station,
Kancheepuram District.
Cr.No.59 of 2016
3. The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr.D.Magesh, Advocate SR 9771

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Cr1.O.P.No.3405 of 2016