

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.1493 of 2016

Kursheet Sherif @ Akshar

.. Petitioner

Vs.

State rep. by

The Inspector of Police
Crimes,

E1 Mylapore Police Station
Chennai - 4.

Crime No.3017 of 2015

.. Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent police not to harass the petitioner, pending trial in C.C.No.5720 of 2015 on the file of the XVII Metropolitan Magistrate, Saidapet, Chennai - 15.

For Petitioner : Mr.C.V.Kumar

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

Heard both sides.

2. The learned counsel for the petitioner would submit that the respondent is harassing the petitioner under the guise of enquiry and hence, the petitioner has come forward with this petition for the above stated relief.

3. The learned Additional Public Prosecutor, on instructions, would submit that the petitioner is arrayed as accused in Crime No.3017 of 2015, for the offences punishable under Section 392 of Indian Penal Code.

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 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 him for interrogation.

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

Sd/-
Assistant Registrar(CS VII)

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Sub Assistant Registrar

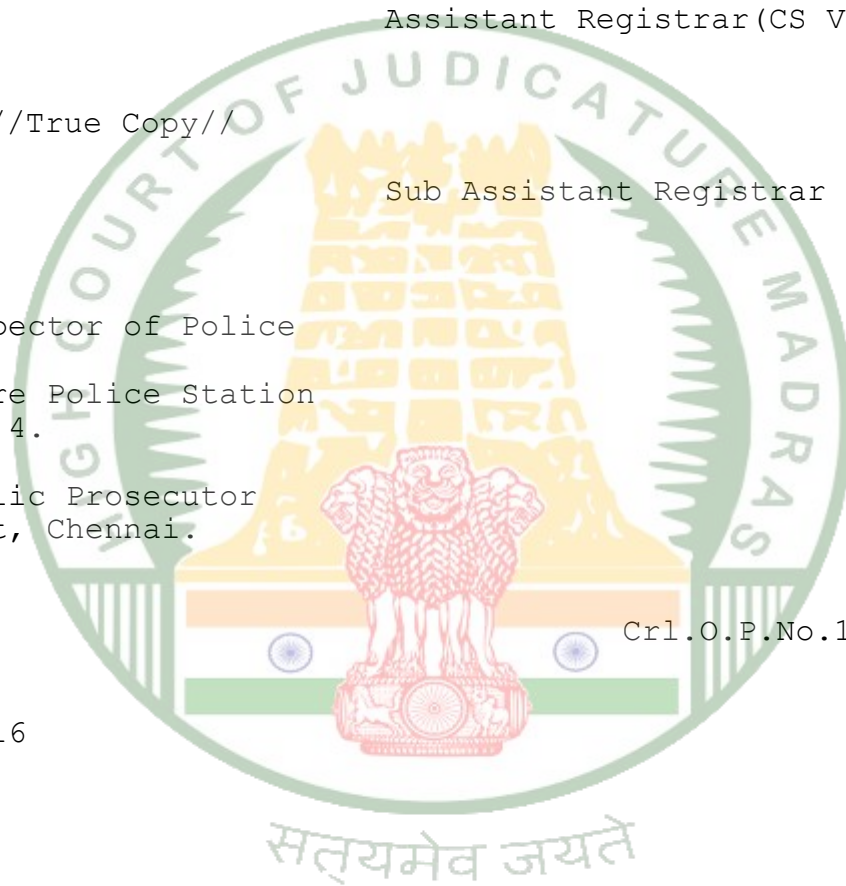
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To
1.The Inspector of Police
Crimes,
El Mylapore Police Station
Chennai - 4.

2.The Public Prosecutor
High Court, Chennai.

Crl.O.P.No.1493 of 2016

NM(CO)
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