

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.22755 of 2016

Raghavan

.. Petitioner

Vs.

1. The State by
The Commissioner of Police,
Greater Chennai.
 2. The Deputy Commissioner of Police,
Ambattur Police District,
Avadi, Chennai.
 3. The Inspector of Police,
T-1, Ambattur Police Station,
Chennai.
- .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the respondents police not to harass the petitioner in respect of vacating the premises in respect of complaint given by Mr.Rajan.

For Petitioner : Mr.S.Sugumar

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents police not to harass the petitioner with regard to vacating the premises in respect of complaint given by one Rajan.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It is seen that H.T.Newbegin, Advocate, lodged a complaint dated 28.09.2016 to the respondent police, alleging that the petitioner approached him during May 2016 and told him

that he is the owner of a property in Ambattur and that one Rajan is attempting to dispossess him and sought legal assistance. Thereafter, when Mr.Newbegin started enquiry, he came to know that the property belongs to the said Rajan and not to the petitioner. Now, Newbegin has given a complaint dated 28.09.2016 to the respondent police against the petitioner.

4. This is indeed very strange because when a person comes to an Advocate for any legal assistance, he takes the Advocate into confidence and discloses several information which are privileged u/s 126 of The Indian Evidence Act, 1872.

5. If Mr.Newbegin feels that the case of the petitioner is not bona fide, he can refuse to take the brief. But, he cannot launch a complaint against his own client in support of the opposite party.

6. In view of the above, the respondent police is directed not to call the petitioner or anyone else named by the complainant for enquiry unnecessarily on the complaint dated 28.09.2016 given by Mr.Newbegin, Advocate.

7. This petition is ordered accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Greater Chennai.
2. The Deputy Commissioner of Police,
Ambattur Police District,
Avadi, Chennai.
3. The Inspector of Police,
T-1, Ambattur Police Station,
Chennai

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S. Sugumar, Advocate, S.R.No.57666

GJ(CO)
md(07/11/2016)

CrI. O.P. No.22755 of 2016



WEB COPY