IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.2671 of 2016

1.K.Mohan
2.K.Sathyamoorthy
3.K.Punniyakotti .. Petitioners

Vs.

1.The Superintendent of Police,
Vellore District, Vellore.

2.The Inspector of Police,
Pernambut Police Station,
Perunambut Town.

3.The Sub Inspector of Police,
Melpatti Police Station,
Melpatti, Gudiyattam TK.

4.G.Krishnamurthy .. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents 1 to 3 herein not to harass the petitioners.

For Petitioners : Mr.K.A.Ravindran

For Respondents : Mr.C.Emalias
Additional Public Prosecutor
(For R1 to R3)
Mr.E.Kannadasan (For R4)

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ORDER

The petitioners have come forward with this petition seeking for a direction, directing the respondent police not to harass the petitioners under the guise of enquiry.

2. The learned counsel for the petitioners would submit that there was a partition suit between the petitioners and the 4th respondent. Now on the basis of the complaint given by the 4th respondent, the respondents 1 to 3 are harassing the petitioners

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under the guise of enquiry and hence, he pray for direction directing the respondent police not to harass the petitioners.

3. At this juncture, the learned Additional Public Prosecutor and the learned counsel appearing for the 4th respondent would submit that on the basis of the complaint given by the 4th respondent, a case in Crime No.27 of 2016 for the offence punishable under Sections 294(b), 447, 423 and 506(i) IPC has been registered and there is no harassment.

4. Considering the above submissions, the respondents 1 to 3 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 petitioner. Thereupon, the petitioners shall appear before the police and submit them for interrogation.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Police,
Vellore District, Vellore.

2.The Inspector of Police,
Pernambut Police Station,
Perunambut Town.

3.The Sub Inspector of Police,
Melpatti Police Station,
Melpatti, Gudiyattam TK.

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4.The Public Prosecutor
High Court, Chennai.

+1cc to Mr.K.A.Ravindran, Advocate, S.R.No.8008
+1cc to Mr.E.Kannadasan, Advocate, S.R.No.8134

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msm(CO)
srg(19/02/2016)

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