

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.2784 of 2016

Addwin Women Welfare Trust,
Represented by its Managing Trustee,
Shanthakumari. .. Petitioner/ Complainant

.. Vs ..

1. State represented by,
Superintendent of Police,
S.P.Office, Cuddalore District,
Cuddalore.
2. The State represented by,
Inspector of Police,
District Crime Branch,
Cuddalore. ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second respondent police not to harass the petitioner in the blanket of enquiry in C.S.R.No.Not Known of 2016 on the file of the respondent police.

For Petitioner : Mr.M.K.Yukanth

For Respondents: Mr.C.Emalias
Additional Public Prosecutor

ORDER

Heard both sides.

2. The petitioner has come forward with this petition seeking for a direction, directing the second respondent police not to harass the petitioner in the blanket of enquiry in C.S.R.No.Not Known of 2016 on the file of the respondent police.

3. The learned counsel for the petitioner would submit that on the basis of the complaint given by one Vanathi, W/o. Arasa Kumaran, the respondent police called the petitioner for enquiry and harassing her under the guise of enquiry and hence, the petitioner has come forward with this petition for the above stated relief.

4. The learned Additional Public Prosecutor, would submit that on the basis of the complaint given by one Vanathi, W/o. Arasa Kumaran, the petitioner was directed to appear before the police on 04.02.2016. But the petitioner has not appeared for enquiry on that date and she has filed this petition before this Court on 05.02.2016 and hence, there is no harassment and prays for the dismissal of the petition.

5. Considering the rival submissions made on both sides, the second respondent police 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 fresh summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit herself for interrogation.

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

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

Jrl

To

1. The Superintendent of Police,
S.P.Office, Cuddalore District,
Cuddalore.

2. The Inspector of Police,
District Crime Branch,
Cuddalore.

3. The Public Prosecutor,
High Court, Madras.

1 cc to Mr.M.K. Yukanth, Advocate, Sr. 9212

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