

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.2794 of 2016

J.Ramesh

.. Petitioner

.. Vs ..

State represented by,
Inspector of Police,
Annamalai Nagar,
Cuddalore District.
(Crime No.Not Known of 2016)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent not to harass the petitioner.

For Petitioner : Mr.M.Madhankumar
For Respondent : 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 respondent police not to harass the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is working in Annamalai University and on the basis of complaint given by one Ezhilarasan and Manickavasagam, alleging that the petitioner's wife viz., Valli has conducted chit and she failed to repay the chit amount, the petitioner was called by the respondent police for enquiry. The learned counsel for the petitioner further submitted that the petitioner is nothing to do with the alleged offence and hence, he 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 Ezhilarasan and Manickavasagam, C.S.R.No.295 of 2015 has been registered against

the petitioner and his wife/Valli and the petitioner was called by the respondent police for enquiry, but without appearing for enquiry, he has filed this petition and hence, he prays for the dismissal of the petition.

5. Considering the rival submissions made on both sides, the 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 himself for interrogation.

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

Jrl

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Annamalai Nagar,
Cuddalore District.
2. The Public Prosecutor,
High Court, Madras.

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