

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2016

CORAM :

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.3254 of 2016

1.Bhuvan Panner Selvam

2.Tmt.J.Jaya

3.J.Dharshan Ranganath

...Petitioners

-V.-

State

By Inspector of Police
W-26, All Women Police Station
Ashok Nagar, Chennai

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the respondent not to harass the petitioners.

For Petitioners: Mr.R.Ashokan

For Respondent : Mr.C.Emalias, A.P.P.,

O R D E R

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

2. Today both the spouses along with their respective counsels are present before this Court. The learned counsel appearing for the petitioners would submit that on the basis of the complaint given by the wife, a case in Crime No.1 of 2016 for the offences punishable under Sections 498 and 406 IPC has been registered and hence, the petitioners have come up with the present Criminal Original Petition praying to direct the respondent not to harass the petitioners.

3. On the other hand, the learned Additional Public Prosecutor would submit that since the case had already been registered in Crime No.1 of 2016 under Sections 498 and 406 IPC and the petitioners were shown as accused, the present petition had to be dismissed.

4. Considering the rival submissions made on both sides, even though the petitioners were arrayed as accused in Crime No.1 of 2016 for the offences punishable under Sections 498 and 406 IPC, the respondent police is 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 petitioners. Thereupon, the petitioners shall appear before the police and submit themselves for interrogation.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
W-26, All Women Police Station,
Ashok Nagar, Chennai.

2.The Additional Public Prosecutor,
High Court, Madras.

+1cc to M/s. R.Ashokan, Advocate sr.11997

Cr1.O.P.No.3254 of 2016

mg (CO)
srg (03/03/2016)