

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.3291 of 2016

Suresh

... Petitioner

Vs.

1. The Inspector of Police,
E-3, Teynampet Police Station,
Chennai - 600 018.

2. K.Gowri Shankar

3. S.Elango

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondents 1 to 3 herein not to call the petitioner any further to the 1st respondent police station for any enquiry since the 1st respondent is acting contrary to law by adopting third degree methods so as to satisfy the 2nd and 3rd respondents.

For Petitioner : Mr.M.C.Govindan

For Respondents: Mr.C.Emalias for R1

Additional Public Prosecutor

Mr.C.S.Dhanasekaran for R2 and R3

ORDER

The petitioner has come forward with this petition seeking a direction to the respondents not to call the petitioner any further to the first respondent police station for any enquiry.

2.Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor. Mr.C.S.Dhanasekaran, learned counsel takes notice for the respondents 2 and 3. The learned counsel appearing for the petitioner is directed to furnish typed set of papers to Mr.C.S.Dhanasekaran, learned counsel who takes notice for the respondents 2 and 3.

3.The learned Additional Public Prosecutor would submit that on the basis of the complaint given by one Gowri Shankar, a case in Crime No.205 of 2016 was registered for the offence

punishable under Sections 381, 465, 468, 471, 406 and 420 of I.P.C. by the first respondent police.

4.Considering the above submissions, the respondents are 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 first respondent police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit him for interrogation.

5.With the above direction, this Criminal Original Petition is disposed of.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
E-3, Teynampet Police Station,
Chennai - 600 018.

2.The Public Prosecutor
High Court, Madras.

+ 2 cc to Mr.M.C.Govindan, Advocate SR 9406

+ 1 cc to Mr.C.S.Dhanasekaran, Advocate SR 9564

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