

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.3419 of 2016

and

Crl.M.P.No.1758 of 2016

P.Thangaraj

.. Petitioner

Vs.

1.The Collector of Perambalur, Perambalur.

2.The District Welfare Officer,
The Office of the District Welfare Officer,
Perambalur.

3.The Sub Inspector of Police,
All Women's Police Station,
Perambalur.

4.Rajeswari

... Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the third respondent not to harass the petitioner on the false complaint given by the second respondent to the third respondent-the District Welfare Officer, Perambalur.

For Petitioner : Mr.M.V.Krishnan

For Respondents: Mr.C.Emalias
Additional Public Prosecutor
(For R1 and R2)

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the third respondent not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner would submit that on the basis of the complaint given by the fourth respondent, the third respondent is harassing the petitioner under the guise of enquiry and hence, he pray for direction directing the third

respondent not to harass the petitioner.

3. At this juncture, the learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that the complaint given by the fourth respondent has already been closed as mistake of fact and hence, there is no harassment

4. Even though the fourth respondent was served and her name appear in the cause list, there is no representation on behalf of the fourth respondent.

5. Considering the above submissions, the third respondent 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 summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit him for interrogation.

6. The Criminal Original Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed.

cse

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Collector of Perambalur, Perambalur.

2.The District Welfare Officer,
The Office of the District Welfare Officer,
Perambalur.

3.The Sub Inspector of Police,
All Women's Police Station, Perambalur.

4.The Public Prosecutor, High Court, Chennai.

+ 1 cc to M/s.M.V.KRISHNAN, ADVOCATE SR 14794

KR/14/3/16

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