

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.3782 of 2016

S.Suresh Bas

.. Petitioner

Vs.

State rep. by
Inspector of Police
Koyambedu police station
Chennai.

.. Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent police "not to harass" the petitioner under the guise of registering the false case against the petitioner on the basis of the complaint given by one M.Syed Yakoob.

For Petitioner :Mr.S.Gopinath
For Respondents :Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition is filed to direct the respondent not to harass the petitioner under the guise of enquiry.

2.Heard the learned counsel for the petitioner.

3.Learned Additional Public Prosecutor submits that on the basis of the complaint given by the defacto complainant, C.S.R.No.99 of 2016 has been assigned. The petitioner may be directed to appear before the respondent police for enquiry.

4.Considering the rival submissions made on both sides, since C.S.R.No.99 of 2016 has been assigned on the basis of the complaint lodged by the defacto complainant, the petitioner is directed to co-operate for enquiry. 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 summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation.

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

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s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

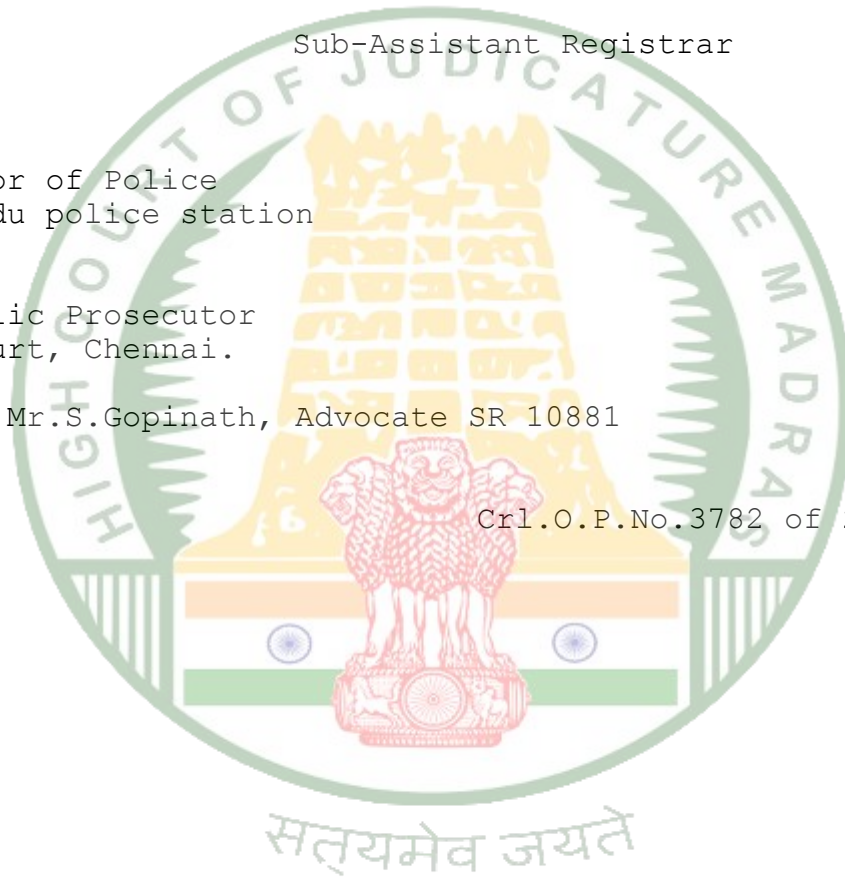
1. Inspector of Police
Koyambedu police station
Chennai.

2. The Public Prosecutor
High Court, Chennai.

+ 1 cc to Mr. S. Gopinath, Advocate SR 10881

sr(co)
prk24/2

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