

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.3784 of 2016

Pitchai @ Navaneethakrishnan

.. Petitioner

Vs.

State by Inspector of Police,
District Crime Branch,
Cuddalore,
Cuddalore District.

.. Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent police not to harass the petitioner in police summons H3/035637/1265/15 on the file of the respondent police.

For Petitioner : Mr.A.Arasu Ganesan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the 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 one Chinnathambi, the respondent is harassing the petitioner under the guise of enquiry and hence, he pray for direction directing the respondent police not to harass the petitioner.

3. Resisting the same, the learned Additional Public Prosecutor appearing for the respondent submit that on the basis of the complaint given by one Chinnathambi, enquiry has been conducted and at that time, the petitioner undertook to settle the matter but without doing so, he has come forward with the false allegations. Hence, he prayed for dismissal of the petition.

4. Considering the above submissions even though enquiry has been conducted and closed, the 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.

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

cse

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Inspector of Police,
District Crime Branch,
Cuddalore, Cuddalore District.
 - 2.The Public Prosecutor, High Court, Chennai.
- + 1 cc to Mr.A.Arasu Ganesan, Advocate Sr 14621

KR/14/3/16

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सत्यमेव जयते

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