

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.3790 of 2016

M.Sathish

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Kancheepuram,
Kancheepuram Town, Taluk & District.

.. Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent not to harass the petitioner.

For Petitioner : Mr.G.Anabayachozhan

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 the wife of the petitioner, viz., Vadivukarasi, for which C.S.R.No.39 of 2016 has been given, the respondent is harassing the petitioner under the guise of enquiry and hence, he pray for direction directing the respondent not to harass the petitioner.

3. At this juncture, the learned Additional Public Prosecutor appearing for the respondent would submit that on the basis of the complaint given by the wife of the petitioner, both the parties were called and the wife of the petitioner undertook to resume her matrimonial home. He would also submit that there is no harassment.

4. Considering the above submissions, 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,
All Women Police Station,
Kancheepuram,
Kancheepuram Town, Taluk & District.
- 2.The Public Prosecutor, High Court, Chennai.

+ 1 cc to Mr.G.Anabayachozhan, Advocate Sr 16832

KR/21/3/16

सत्यमेव जयते

Cr1.O.P.No.3790 of 2016

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