

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.Nos.3887, 3898 and 3900 of 2016

- 1.Mohanambal
2.Thiruvengkatam
3.Uma Magheswari .. Petitioners in Crl.O.P.No.3887/2016
- 1.Krishnaveni
2.Kumaran
3.Dinesh .. Petitioners in Crl.O.P.No.3898/2016
- 1.V.Girija
2.V.Bala Murali .. Petitioners in Crl.O.P.No.3900/2016
- Vs.
1. The Superintendent of Police,
Kanchipuram,
Kanchipuram District.
2. The Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.
3. State rep. By
Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram.
4. State rep. By
Inspector of Police,
Vishnu Kanchi Police Station,
Kanchipuram.
5. State rep. By
Inspector of Police,
Shiva Kanchi Police Station,
Kanchipuram. .. Respondents in all Crl.O.Ps

Prayer in Crl.O.P.No.3887 of 2016:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents not to harass the petitioners in the guise of enquiry in connection with the 1st petitioner brother namely Jagan.

Prayer in CrI.O.P.No.3898 of 2016:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents not to harass the petitioners in the guise of enquiry in connection with the 1st petitioner brother namely Jagan.

Prayer in CrI.O.P.No.3900 of 2016:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents not to harass the petitioners in the guise of enquiry in connection with the 1st petitioner son namely Jagan.

For Petitioners
in all CrI.O.Ps : Mr.A.Saranraj

For Respondents
in all CrI.O.Ps : Mr.C.Emalias
Additional Public Prosecutor

COMMON ORDER

The petitioners have come forward with these petitions seeking for a direction, directing the respondents not to harass the petitioners under the guise of enquiry.

2. The learned counsel for the petitioners would submit that the respondents are harassing the petitioner under the guise of enquiry in Cr.Nos.93 of 2016 and 303 of 2015 in which one Jagan is an accused and he is absconding. He further submitted that the petitioners who are the close relatives of the said Jagan were nothing to do with the commission of offence and hence, he pray for direction directing the respondent police not to harass the petitioner.

3. Resisting the same, the learned Additional Public Prosecutor would submit that one Jagan, who is the close relative of the petitioners herein has involved in the cases in Cr.Nos.93 of 2016 and 303 of 2015 for the offence punishable under Section 399 IPC, his whereabouts were not known and hence the petitioners were called for enquiry but there is no harassment. Therefore, he prayed for dismissal of the petition.

4. Considering the rival submissions made by both sides and merely because the petitioners are close relatives of the accused Jagan, the respondents are directed not to harass the petitioners 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 petitioners shall appear before the police and submit them for interrogation.

5. The Criminal Original Petitions are disposed of with the above direction.

cse

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Kanchipuram,
Kanchipuram District.
2. The Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.
3. Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram.
4. Inspector of Police,
Vishnu Kanchi Police Station,
Kanchipuram.
5. Inspector of Police,
Shiva Kanchi Police Station,
Kanchipuram.
6. The Public Prosecutor
High Court, Chennai.

+ 2 ccs to Mr.A.Saranraj, Advocate SR 11673 & 11674

ksj(co)
prk26/2

CrI.O.P.Nos.3887, 3898 and 3900 of 2016

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