

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.4057 of 2016

1.Senthil Kumar
2.Bala Murugan

... Petitioners

Vs.

1.The Inspector of Police,
T5, Thiruverkadu Police Station,
Thiruverkadu,
Chennai 600 077.

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondents not to harass the petitioner and to take necessary departmental action.

For Petitioners: Mr.V.Lakshmi Narayanan

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondent not to harass the petitioners and to take necessary departmental action.

2.Heard the learned counsel appearing for the petitioners as well as the learned Additional Public Prosecutor.

3.The learned counsel appearing for the petitioners would submit that the first petitioner had entered into agreement with Rehoboth cab on 01.01.2015 for two air condition bus for transportation of its employees and since the bus is not in good condition, the company purchased new buses. So they canceled the contract. Hence, on the basis of the complaint given by Rehoboth cab, the respondent police has called for the petitioners under the guise of enquiry and causing torture and harassment and also threat to pay the amount and hence, he prayed for the above stated relief.

4. Resisting the same, the learned Additional Public Prosecutor would submit that complaint is there, enquiry is going on, no threat was made and there is no harassment. Hence, he prayed for dismissal of the petition.

5. Considering the rival submissions, since the enquiry is going on, the respondent is 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 petitioners. Thereupon, the petitioners shall appear before the police and submit themselves for interrogation.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
T5, Thiruverkadu Police Station,
Thiruverkadu,
Chennai 600 077.

2. The Public Prosecutor
High Court, Madras.

सत्यमेव जयते

+1cc to M/s. V. Lakshminarayanan, Advocate, S.R.No.12883

RSI (CO)
EU(11/03/2016)

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