

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.4099 of 2016

1.Mr.S.J.Kannan

2.Mrs.Geetha

... Petitioners

Vs.

State by
Sub-Inspector of Police, (Crime)
R6 Kumaran Nagar Police Station,
Kumaran Nagar, Chennai

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent not to harass the petitioner.

For Petitioners : Ms.A.Madhumathi

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 petitioner in view of the above said circumstances.

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 on the basis of the complaint given by one Vijaya, the respondent police are frequently calling the petitioners and harassing them and hence, he prayed for the above stated relief.

4.At this juncture, the learned Additional Public Prosecutor would submit that on the basis of the complaint given by one Vijaya, enquiry has been conducted and it was closed as the petitioners undertook to repay the amount to the said Vijaya and hence, no harassment has been made out. Hence, he prayed for dismissal of the petition.

5.Considering the rival submissions, 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.

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Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Sub-Inspector of Police, (Crime)
R6 Kumaran Nagar Police Station,
Kumaran Nagar, Chennai
 - 2.The Public Prosecutor, High Court, Madras.
- + 1 CC TO Ms.A.Madhumathi, ADVOCATE SR 12842

KR/8/3/16

सत्यमेव जयते

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