

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.4292 of 2016

Krishnapillai

.. Petitioner

.. Vs ..

State by,

1. The Superintendent of Police,  
Salem District, Salem.

2. The Inspector of Police,  
Attur Police Station,  
Attur, Salem District.

.. Respondents

**Prayer:-** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondents police not to harass the petitioner and his family members in the guise of registering false case and called upon them in everyday day and night.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.C.Emalias  
Additional Public Prosecutor

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**ORDER**

Heard both sides.

2. The petitioner has come forward with this petition seeking for a direction, directing the respondents police not to harass the petitioner and his family members in the guise of registering false case and called upon them in everyday day and night.

3. The learned counsel for the petitioner would submit that the respondents police are harassing the petitioner under the guise of enquiry and hence, the petitioner has come forward with this petition 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 the petitioner, petition enquiry in C.S.R.No.117 of 2016 is pending.

5. Considering the rival submissions made on both sides, the second respondent police 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 himself for interrogation.

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

26.02.2016

Internet : Yes  
Jrl

To

1. The Superintendent of Police,  
Salem District, Salem.
2. The Inspector of Police,  
Attur Police Station,  
Attur, Salem District.
3. The Public Prosecutor,  
High Court, Madras.

R.MALA, J.

Jrl

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