

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.4478 of 2016

Mangaiyarkarasi

... Petitioner

Vs.

1.State: The Commissioner of Police,
Chennai City Police,
Vepery,
Chennai.

2.State : Inspector of Police,
Thirumullaivoyal Police Station,
Chennai.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the 2nd respondents not to harass the petitioner in any manner.

For Petitioner : Mr.K.S.Kaviarasu

For Respondents: Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the second respondent not to harass the petitioner in any manner.

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

3.The learned counsel appearing for the petitioner would submit that the petitioner's son was involved in a murder case and hence, the respondent police are frequently harassing the petitioner asking about her son's whereabouts with an intention to implicate him in a theft case alleged to have taken place in the house of one Srinivasan who had carried on real estate business with her son initially and hence, he prayed for the above stated relief.

4.Resisting the same, the learned Additional Public Prosecutor would submit that the petitioner was not called for any enquiry. Hence, he prayed for dismissal of the petition.

5.Considering the submission made by the learned counsel appearing for the petitioner, the respondents are 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 herself for interrogation.

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

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1.The Commissioner of Police,
Chennai City Police,
Vepery,
Chennai.

2.The Inspector of Police,
Thirumullaivoyal Police Station,
Chennai.

3.The Public Prosecutor
High Court, Madras.

1 cc to Mr.K.S. Kaviarasu, Advocate, Sr. 12897

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SCD (CO)
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