

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.4687 of 2016

Nagaraj

.. Petitioner

Vs.

1.The District Superintendent of Police
Krishnagiri.

2.The Deputy Superintendent of Police
Uthangarai, Krishnagiri District.

3.The Inspector of Police
Uthangarai police station
Krishnagiri District.

.. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents "not to harass" the petitioner in connection with the case in Crime No.4141 of 2013 on the file of the third respondent.

For Petitioner : Mr.S.V.Karthikeyan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition is filed to direct the respondents not to harass the petitioner under the guise of enquiry.

2.The learned counsel for the petitioner would submit that the petitioner has been harassed by the respondents under the guise of enquiry in respect of theft of a vehicle. He would further submit that the petitioner is an innocent and he is nothing to do with the alleged offence. Hence, the petitioner prays for a direction to the respondents not to harass him under the guise of enquiry.

3.Learned Additional Public Prosecutor submits that the petitioner is a suspected accused in Crime No.4141 of 2013 and the case has been registered for an offence under Section 379

IPC. He further submits that the petitioner was called only for enquiry and that no harassment made against him.

4. Considering the rival submissions made on both sides, even the petitioner is the suspected accused in Crime No.4141 of 2013, 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 himself for interrogation.

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

KJ

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The District Superintendent of Police,
Krishnagiri.
- 2.The Deputy Superintendent of Police,
Uthangarai, Krishnagiri District.
- 3.The Inspector of Police,
Uthangarai police station,
Krishnagiri District.
- 4.The Public Prosecutor, High Court, Chennai.

+ 1 CC TO Mr.S.V.Karthikeyan, ADVOCATE SR 13683

KR/9/3/16

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