

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.4748 of 2016

1.Tamilalagan  
2.Elanchezhian ... Petitioners  
3. Venkatesan

Vs.

1.The Superintendent of Police  
Kancheepuram District,  
Kancheepuram.  
2.The Inspector of Police,  
District Crime Branch,  
Kancheepuram District,  
Kancheepuram. ... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the 2<sup>nd</sup> respondent to not to harass the petitioners except due process of law.

For Petitioners: Mr.K.Thenrajan

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 petitioners except by due process of law.

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

3.The learned Additional Public Prosecutor would submit that on the basis of the complaint given by one Govindan, a case in Crime No.5 of 2016 was registered for the offence punishable under Sections 466, 471, 420 read with 34 of I.P.C. against the first petitioner by the second respondent police. He would further submit that the second petitioner is not arrayed as an accused in that case.

4.Considering the above submissions, the respondents are 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 second respondent police to issue summons to the petitioners. Thereupon, the petitioners shall appear before the police and submit themselves for interrogation.

5.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 Superintendent of Police  
Kancheepuram District,  
Kancheepuram.
- 2.The Inspector of Police,  
District Crime Branch,  
Kancheepuram District,  
Kancheepuram.
- 3.The Public Prosecutor  
High Court, Madras.

+ 1 cc to Mr.K. Thenrajan, Advocate SR.16452

Crl.O.P.No.4748 of 2016

MSM(CO)  
Eu 24.03.16

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