

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.4784 of 2016

Soundharajan

... Petitioner

Vs.

1.The State rep.by
The Assistant Commissioner of Police,
Ashok Nagar Range,
MCR Nagar,
Chennai-78.

2.The State rep by
The Inspector of Police,
R-10,MGR Nagar Police Station,
Chennai-78.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent not to harass the petitioner as well as their family members.

For Petitioner :Mr.A.Abdul Rahman
for M/s.Nathan & Associates

For Respondents :Mr.C.Emalias
Additional Public Prosecutor

सतयमेव जयते
O R D E R

This petition is filed to direct the 2nd respondent not to harass the petitioner as well as their family members.

2.The learned counsel for the petitioner submitted that on the basis of the complaint given by the police officials, a case in Crime No.2411 of 2015 on the file of the 2nd respondent Police has been registered for offences punishable under Sections 294(b), 353 and 506(ii) IPC and the petitioner was released on bail. He further submitted that the respondents are

harassing the petitioner under the guise of enquiry and hence, the petitioner has come forward with this petition for the above stated relief.

3.The learned Additional Public Prosecutor appearing for the respondents submitted that the police people has gone to serve the summons under Section 110 proceedings. Instead of receiving the same, this petition has been filed by the petitioner and there is no harassment. Hence, he prays for dismissal of this petition.

4.Considering the rival submissions made on both sides, the 2nd respondent 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. The petitioner is also directed to receive the summons and appear before the respondents for interrogation.

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

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Assistant Commissioner of Police,
Ashok Nagar Range,
MCR Nagar,
Chennai-78.

2.The Inspector of Police,
R-10,MGR Nagar Police Station,
Chennai-78.

3.The Additional Public Prosecutor,
Madras High Court,
Madras.

+1 cc to M/s.Nathan and Associates sr.22004

Cr1.O.P.No.4784 of 2016

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