

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.4853 of 2016

Arun @ Anbalagan

.. Petitioner

.. Vs ..

1. The Superintendent of Police, (North)
Jawaharlal Nehru Street,
Puducherry.

2. The Station House Officer,
Reddiarpalayam Police Station,
Puducherry.

.. 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 either by them or by their sub-ordinates unlawfully.

For Petitioner : Mr.J.Rajmohan

For Respondents: Mr.V.Balamurugan,
Addl. Public Prosecutor (Pondicherry)

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 either by them or by their sub-ordinates unlawfully.

3. The learned counsel for the petitioner would submit that the respondents police are attempting to register some false case against the petitioner due to the forthcoming elections and under the guise of enquiry, the respondents police are harassing the petitioner and hence, the petitioner has come forward with this petition for the above stated relief.

4. The learned Additional Public Prosecutor (Pondicherry), would submit that the petitioner is facing five criminal cases and out of which, three cases are for the offence under Section 302 of IPC and 144 Cr.P.C. proceeding has been issued against the petitioner on 19.02.2016 and hence, he prays for the dismissal of the petition.

5. Considering the rival submissions made on both sides, even though the petitioner is facing five criminal cases, the respondents police 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 fresh 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.

Jrl

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Superintendent of Police, (North)
Jawaharlal Nehru Street,
Puducherry.

2. The Station House Officer,
Reddiarpalayam Police Station,
Puducherry.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.J.Rajmohan, Advocate Sr 19126

KR/5/4/16

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