

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.4989 of 2016

Manimozhi .. Petitioner  
Vs.

- 1.The Commissioner of Police,  
Greater Chennai,  
Chennai-600 007.
- 2.The Inspector of Police,  
Sankar Nagar Police Station,  
Pammal, Chennai-600 075. .. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents not to harass the petitioner.

For Petitioner :Mr.S.Sairaman

For Respondents :Mr.C.Emalias  
Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction to the respondents not to harass the petitioner under the guise of enquiry.

2.The learned counsel for the petitioner submitted that one Santhakumar has lodged a complaint against the petitioner. Hence, the petitioner apprehending arrest at the hands of the police, has moved an application for anticipatory bail before this Court in CrI.O.P.No.24766 of 2015. This Court by an order dated 05.10.2015 directed the petitioner to appear before the respondent for enquiry. He further submitted that one of the agents of the said Santhakumar has again lodged a complaint against the petitioner. So the petitioner has filed an anticipatory bail application in CrI.O.P.No.115 of 2016. This Court by an order dated 12.01.2016, directed the petitioner to appear before the respondent police for enquiry. It is further submitted that now the respondents have harassed the petitioner under the guise of enquiry, on the basis of the complaint given by one Velliappan. Therefore, the petitioner has come forward with this petition for the above stated relief.

3.At this juncture, the learned Additional Public Prosecutor, on instructions, would submit that the petitioner has conducted an unauthorised chit and he has to pay chit amount to several persons. He has obtained anticipatory bail in one application on the basis of the complaint given by other chit subscribers. He would further submit that the petitioner was called only for enquiry and no harassment made against him. Therefore, he prayed for dismissal of this petition.

4.Considering the rival submissions made on both sides, 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.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,  
Greater Chennai,  
Chennai-600 007.

2.The Inspector of Police,  
Sankar Nagar Police Station,  
Pammal, Chennai-600 075.

3.The Public Prosecutor  
High Court, Chennai.

+1 cc to Mr.Sairaman, Advocate, sr.14380

Cr1.O.P.No.4989 of 2016

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