

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.5298 of 2016

1.Kannan

2.Srinivasan

.. Petitioners

Vs.

1. State represented by
The Superintendent of Police,
Thiruvannamalai, Thiruvannamalai District.

2. State represented by
The Inspector of Police,
All Women Police station,
Vandavasi, Thiruvannamalai District. .. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent police not to harass the petitioners on the basis of the complaint given by the defacto complainant namely, Mrs.Suguna.

For Petitioners : Mr.V.R.Appaswamee

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

O R D E R

This petition is filed for issuing a direction to the respondents not to harass the petitioners under the guise of enquiry.

2.The learned counsel for the petitioner would submit that on the basis of the complaint given by one Suguna, the respondents called the petitioners for enquiry and harassed them under the guise of enquiry. Therefore, the petitioners have come forward with this petition for the above stated relief.

3.Learned Additional Public Prosecutor submits that on the basis of the complaint given by the said Suguna, petition enquiry in C.S.R.No.26 of 2016 has been pending.

4.Considering the rival submissions made on both sides, the second respondent is 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 police to issue summons to the petitioners. Thereupon, the petitioners shall appear before the police and submit themselves 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 Superintendent of Police,
Thiruvannamalai, Thiruvannamalai District.

2.The Inspector of Police,
All Women Police station,
Vandavasi, Thiruvannamalai District.

2.The Public Prosecutor, High Court, Chennai.

+ 1 cc to Mr.V.R.Appaswamee, Advocate Sr 15587

KR/14/3/16

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