

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.5588 of 2016

1.Moorthy @ Sathyamoorthy
2.Sivabalan
3.Poongothai
4.Periyasamy
5.Amutha
6.Subramanian

... Petitioners

Vs.

State rep. by
The Inspector of Police,
All Woman Police Station,
Kallakurichi,
Villupuram District.

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent not to harass the petitioners and his family members.

For Petitioners : Mr.T.Balachandran
For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondent not to harass the petitioners and his family members.

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 the wife of the first petitioner, a case in Crime No.7 of 2016 was registered for the offence punishable under Sections 147, 294b, 494 and 506 (i) of I.P.C. against the petitioners by the respondent police.

4.Considering the above submissions, the 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 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.
pri

s/d-
Assistant Registrar (AS)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
All Woman Police Station,
Kallakurichi,
Villupuram District.

2. The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr. T. Balachandran, Advocate, SR 16549

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