

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.5658 of 2016

V.Gnanam

.. Petitioner

Vs.

1.The District Superintendent of Police,
Krishnagiri.

2.The Deputy Superintendent of Police,
Uthangarai,
Krishnagiri District.

3.The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.

... Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents police not to harass the petitioner in connection with the case in Cr.No.4141 of 2013, on the file of the 3rd respondent police.

For Petitioner : Mr.S.V.Karthikeyan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the respondents not to harass the petitioner in connection with the case in Cr.No.4141 of 2013, on the file of the 3rd respondent police for the offence punishable under Section 397 of I.P.C.

2. The learned counsel for the petitioner would submit that the respondents are harassing the petitioner under the guise of enquiry and hence, he pray for direction directing the respondent police not to harass the petitioner.

3. At this juncture, the learned Additional Public Prosecutor appearing for the respondents would submit that the

petitioner is a suspected accused and hence, he was called for enquiry. But the petitioner without appearing before the investigating agency has come forward with this petition. Hence, he prayed for dismissal of the petition.

4. Considering the rival submissions made on both sides, the petitioner is a suspected accused in Cr.No.4141 of 2013 on the file of the respondent police, the third 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. If really, the police want to interrogate, it is open for the police to issue summons to the petitioner. Thereupon, the petitioner is directed to co-operate for investigation.

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

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

kcd

To

1.The District Superintendent of Police,
Krishnagiri.

2.The Deputy Superintendent of Police,
Uthangarai,
Krishnagiri District.

3.The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.

4.The Public Prosecutor
High Court, Chennai.

1 cc to M/s. S.V. Karthikeyan, Advocate, Sr. 17147

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TEJ (CO)
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