

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5934 of 2016

Ramya .. Petitioner
Vs.

- 1.The Superintendent of Police,
Office of the District Police Superintendent,
Nagapattinam.
- 2.State by:
The Inspector of Police,
Sirkali Police Station,
Sirkali. .. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the 2nd respondent not to harass the petitioner under the guise of enquiry by interfering in the civil matter prevailing between the petitioner and her landlord.

For Petitioner : Mr.r.Marudhachalamurthy
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 under the guise of enquiry.

2. The learned counsel for the petitioner would submit that she is a tenant under Babujakir, without repaying the lease amount, the said Babujakir insisted her to vacate the premises. Since, she has not vacated the premises, a complaint has been given. on that basis, the petitioner was called for enquiry and she was harassed. Hence, she has come forward with this petition for the above stated relief.

3. At this juncture, the learned Additional Public Prosecutor appearing for the respondents submit that on the basis of the complaint given by Babujakir, the petitioner was called for enquiry and there is no harassment to the petitioner.

4. Considering the rival submissions, 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 is directed to co-operate for investigation.

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

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

kkd

To

- 1.The Superintendent of Police,
Office of the District Police Superintendent,
Nagapattinam.
2. The Inspector of Police,
Sirkali Police Station,
Sirkali.
- 3.The Public Prosecutor
High Court, Chennai.

सत्यमेव जयते

1 cc to Mr.R. Marudhachalamurthy, Advocate, Sr. 17246

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