

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.5983 of 2016

Mercy George

.. Petitioner

Vs.

State of Tamil Nadu represented by its
The Inspector of Police,
F-3, Nungambakkam Police Station,
Nungambakkam, Chennai 600 034.

.. Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent not to harass the petitioner in Crime No.(Not known) of 2016 on the file of the Inspector of Police, F-3, Nungambakkam Police Station, Nungambakkam, Chennai.

For Petitioner : Mr.Rathina Asohan

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

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

2. The learned counsel for the petitioner would submit that on the basis of the complaint given by one Banu, who is the landlady of the petitioner, the petitioner was called for enquiry and he attended the same. But now the respondent police has harassed the petitioner to vacate the premises. Hence, he 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 Banu, the petitioner was called for enquiry and there is no harassment to the petitioner. He further submitted that the petitioner must co-operate for enquiry. Hence he prayed for dismissal of the petition.

4. Considering the rival submissions, on the basis of the complaint given by Banu, who is landlady, in which, CSR is

pending, the 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/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
F-3, Nungambakkam Police Station,
Nungambakkam, Chennai 600 034.

2.The Public Prosecutor
High Court, Chennai.

+1cc to Mr.Rathina Asohan, Advocate Sr.17068

Cr1.O.P.No.5983 of 2016

jsv(CO)
srg(21/03/2016)

सत्यमेव जयते

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