

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.6119 of 2016

H.B.N. Field Workers and Depositors Association,
Rep. by E.Ettiyappan

.. Petitioner

.. Vs ..

State rep. by,
1. The Additional Director General of Police,
Economic Offences Wing,
Guindy, Chennai.

2. The Inspector of Police,
Economic Offence Wing,
Chennai.

3. The Inspector of Police,
District Crime Branch,
Tiruvallur District,
Tiruvallur.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondents not to harass the petitioner pending investigation in Reference C.No.160/DSP/DCB/TLR/2015, dated 12.12.2015 on the file of the Inspector of Police, District Crime Branch, Tiruvallur District, Tiruvallur, unnecessarily on the complaints pertains to HBN Dairies & Allied Ltd.

For Petitioner : Mr.Sundaravadivel

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

Heard both sides.

2. The petitioner has come forward with this petition seeking for a direction, directing the respondents not to harass him pending investigation in Reference C.No.160/DSP/DCB/TLR/2015, dated 12.12.2015 on the file of the Inspector of Police, District Crime Branch, Tiruvallur District,

Tiruvallur, unnecessarily on the complaints pertains to HBN Dairies & Allied Ltd.

3. Learned counsel for the petitioner would submit that on the basis of the complaint given by some depositors, under the guise of enquiry, the respondents police are harassing the petitioner and hence, the petitioner has come forward with this petition for the above stated relief.

4. At this juncture, the learned Additional Public Prosecutor would submit that based on the complaint given by one of the depositors, a case in Crime No.3/2016 has been registered by the second respondent police for the offences punishable under Sections 406, 420 and 120(B) of IPC and the petitioner is arrayed as A.2. It is further submitted that in this matter, investigation is going on.

5. Considering the rival submissions made on both sides, the respondents police 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 fresh summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation.

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

Jrl

s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The Additional Director General of Police,
Economic Offences Wing,
Guindy, Chennai.
2. The Inspector of Police,
Economic Offence Wing,
Chennai.
3. The Inspector of Police,
District Crime Branch,
Tiruvallur District,
Tiruvallur.

4. The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.C.V.Kumar, Advocate SR 18064

mp(co)
prk7/4

CRL.O.P.No.6119 of 2016



WEB COPY