

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P.No.6145 of 2016

Arokiasamy

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thirukoilur, Villupuram District.

2.The Inspector of Police,
Sankarapuram Circle,
Rajathani, Villupuram District.

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents not to harass the petitioner except due process of law.

For Petitioner : Mr.D.Padmanabhan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition is filed to direct the respondents not to harass the petitioner under the guise of enquiry.

2.The learned counsel for the petitioner submitted that on the basis of the statement given by one Radhakrishnan, the 2nd respondent has registered a case in Crime No.21 of 2016 for offences punishable under Sections 279 and 337 IPC. He further submitted that the respondents are harassing the petitioner under the guise of enquiry and hence, the petitioner has come forward with this petition for the above stated relief.

3.The learned Additional Public Prosecutor for the respondents submitted that the petitioner is the accused in Crime No.21 of 2016. He further submitted that the petitioner was called upon for enquiry and there is no harassment.

4.Considering the rival submissions made on both sides, the petitioner is directed to appear before the 2nd respondent along with relevant documents on 15.04.2016. The 2nd 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 shall appear before the police and submit himself for interrogation.

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

mps

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Deputy Superintendent of Police,
Thirukoilur, Villupuram District.

2.The Inspector of Police,
Sankarapuram Circle, Rajathani,
Villupuram District.

3.The Public Prosecutor,
Madras High Court, Madras.

+1cc to Mr.Mr.D.Padmanabhan, Advocate SR.No.23347[21.4]

KR/12/4/16

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