

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.6202 of 2016

R.Saravanan

.. Petitioner

Vs.

1.The Deputy Superintendent of Police,
District Crime Branch,
Dharmapuri.

2.The Inspector of Police,
District Crime Branch,
Dharmapuri.

.. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents not to subject the petitioner to harrassment without any basis, in law and on facts, on the basis of the false, baseless, and vexatious complaint of the above said G.Saravanan, P.A.Govindarajan and Saravanan against the petitioner.

For Petitioner : Mr.S.Subramanian

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

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

2. The learned counsel for the petitioner would submit that he has purchased the property on 15.09.2015 from one Sakthivel, power agent of G.Saravanan and P.A.Govindarajan and now they were stated that they are the owners of the property. Hence they gave a complaint and on that basis, the petitioner was called for enquiry and harassed. He would further submit that the petitioner has also given a complaint before the respondent police against the said persons viz., C.Sakthivel, G.Saravanan and P.A.Govindarajan. 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 would submit that only Chitra alone has given a complaint and neither Saravanan nor Govindarajan gave a complaint. He would further submit that enquiry in C.No.122/DSP/DCB/DP1/2016 is pending before the respondent police and there is no harassment to the petitioner.

4. Considering the rival submissions made by both sides, the second 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

kkd

To

1.The Deputy Superintendent of Police,
District Crime Branch,
Dharmapuri.

2.The Inspector of Police,
District Crime Branch,
Dharmapuri.

3.The Public Prosecutor
High Court, Chennai.

+1 cc to M/s.S.Subramani Advocat sr.18177

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