

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.6334 of 2016

1. S.Thara
2. J.Selvaraj

.. Petitioners

... Vs ...

The Inspector of Police,
W-35 Tambaram All Women Police,
Tambaram.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent police not to harass the petitioners in the name of investigation.

For Petitioners : Mr.E.Kotteeswaran
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

Heard both sides.

2. The petitioners have come forward with this petition seeking for a direction, directing the respondent police not to harass them in the name of investigation.

3. The learned counsel for the petitioners would submit that the respondent police is harassing the petitioners on the basis of the complaint given by one Sobana, who is none other than the daughter-in-law of the petitioners and hence, the petitioners have come forward with this petition for the above stated relief.

4. The learned Additional Public Prosecutor would submit that on the basis of the complaint given by one Sobana, petition enquiry in C.S.R.No.77 of 2013 is pending.

5. Considering the rival submissions made on both sides, the respondent police is directed not to harass the petitioners 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 petitioners. Thereupon, the petitioners shall appear before the police and submit themselves for interrogation.

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

Jrl

-s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
W-35 Tambaram All Women Police,
Tambaram.
2. The Public Prosecutor,
High Court, Madras.

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