

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.6360 of 2016

M.Govindasamy

.. Petitioner

.. Vs ..

State rep. by,  
The Inspector of Police,  
J-2, Adyar Police Station,  
Adyar, Chennai - 20.  
(Crime No.2374/2015)

... 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 petitioner, pending investigation in Crime No.2374 of 2015 on the file of the Inspector of Police, J-2 Adyar Police Station, Adayar, Chennai.

For Petitioner : Mr.G.Velu  
For Respondent : 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 respondent police not to harass him, pending investigation in Crime No.2374 of 2015 on the file of the respondent police.

3. The learned counsel for the petitioner would submit that the respondent police is harassing the petitioner under the guise of enquiry and hence, the petitioner has 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 Hareeswaran, a case has been registered in Crime No.2374 of 2014 against one Suresh, who is none other than the son-in-law of the petitioner and his name is shown as 8th accused. Since the whereabouts of the said Suresh is not known, to find out the said accused, the petitioner was called for investigation and there is no harassment and hence, he prays for dismissal of the petition.

5. Considering the rival submissions made on both sides, the respondent police 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.

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

Sd/-  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Jrl

To

1. The Inspector of Police,  
J-2, Adyar Police Station,  
Adyar, Chennai - 20.

2. The Public Prosecutor,  
High Court, Madras.

+ 1 cc to MR.G. Velu, Advocate sr.18009

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KJI (CO)  
Eu 7.4.16

सत्यमेव जयते

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