

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.6387 of 2016

1. S.Thangavel
2. S.Alagirisamy
3. S.Chinnusamy
4. S.Duraisamy
5. S.Kittusamy

.. Petitioners

... Vs ...

State rep. by,
The Inspector of Police,
Aliyar Police Station,
Coimbatore District.

.. 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 under the guise of enquiry at the investigation of the said Parasuraman.

For Petitioners: Mr.M.N.Balakrishnan
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 under the guise of enquiry at the investigation of the said Parasuraman.

3. The learned counsel for the petitioners would submit that in respect of civil dispute, a suit in O.S.No.413 of 2015 is pending before the learned District Munsif, Pollachi. But the respondent police is harassing the petitioners under the guise of enquiry and hence, the petitioners have come forward with this petition for the above stated relief.

4. At this juncture, the learned Additional Public Prosecutor would submit that on the basis of the complaint given by one Parasuraman, the petitioners were called for enquiry 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 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(CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Aliyar Police Station,
Coimbatore District.
2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.M.N.Balakrishnan, Advocate SR 18215

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सत्यमेव जयते

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