

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.6419 of 2016

P.Arul

.. Petitioner

Vs.

1.The Superintendent of Police,
Kancheepuram,
Kancheepuram District.

2.The Deputy Superintendent of Police,
P.E.W. Kanacheepuram Police Station,
Kancheepuram District.

3.The Inspector of Police,
P.E.W. Police Station,
Kancheepuram.

... Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the third respondent not to harass the petitioner based on the complaint dated 07.03.2016 to the first respondent.

For Petitioner : Mr.R.Sasikumar

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

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

2. The learned counsel for the petitioner would submit that the petitioner has already facing three cases in prohibition offences and now the respondent police is harassing the petitioner by directing the landlord not to hand over the

key to the petitioner and hence, he pray for direction directing the third respondent not to harass the petitioner.

3. Resisting the same, the learned Additional Public Prosecutor appearing for the respondents would submit that the petitioner was not called for any enquiry and no instruction has been given to the landlord. He would also submit that there is no harassment

4. Considering the above submissions, the 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 him for interrogation.

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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Superintendent of Police,
Kancheepuram, Kancheepuram District.
 - 2.The Deputy Superintendent of Police,
P.E.W. Kanacheepuram Police Station,
Kancheepuram District.
 - 3.The Inspector of Police,
P.E.W. Police Station, Kancheepuram.
 - 4.The Public Prosecutor, High Court, Chennai.
- + 1 cc to Mr.R.Sasikumar, Advocate Sr 19152

KR/1/4/16

Cr1.O.P.No.6419 of 2016