

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.6548 of 2016

1.E.Kasinathan
2.Saraswathi

... Petitioners

Vs.

1. The Superintendent of Police,
Vellore District,
Vellore.
2. The Inspector of Police,
All Women Police Station,
Vellore,
Vellore District.
3. The Inspector of Police,
Vellore Town South Police Station,
Vellore.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents not to harass the petitioners on the basis of the statement of one Mrs.Shanthi, otherwise than under procedure established by law.

For Petitioners :Mr.D.Balachandran

For Respondents :Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition is filed to direct the respondents not to harass the petitioners under the guise of enquiry.

2.The learned counsel appearing for the petitioners submitted that on the basis of the complaint given by their daughter-in-law namely, Shanthi, the 1st petitioner, aged about 78 years and the 2nd petitioner were called upon for enquiry and the respondents are harassing the petitioners, under the guise of enquiry and hence, the petitioner has come forward with this petition for the above stated relief.

3.The learned Additional Public Prosecutor for the respondents submitted that on the basis of the complaint given by one Rajendran, who is none other than the father of daughter-in-law Shanthi, C.No.38 of 2016 is pending. He further submitted that the petitioners' son is abroad and he has sought for time to produce his son, but he has not produced him and hence, he prays for dismissal of this petition.

4.Considering the rival submissions made on both sides that on the basis of the complaint given by one Rajendran, who is none other than the father of daughter-in-law Shanthi, petition enquiry in C.No.38 of 2016 is pending, the 2nd respondent 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 petitioner. Thereupon, the petitioner shall appear before the police and submit herself for interrogation.

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

mps

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

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

2.The Inspector of Police,
All Women Police Station,
Vellore, Vellore District.

3.The Inspector of Police,
Vellore Town South Police Station,
Vellore.

4.The Public Prosecutor,
Madras High Court, Madras.

+ 1 cc to Mr.D.Balachandran, Advocate SR 19992

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