

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.6683 of 2016

1.T.Valarmathi

2.P.Thangavel

.. Petitioners/Accused

Vs.

The State rep. by
The Inspector of Police,
City Crime Branch,
Coimbatore City.

.. Respondent/Complainant

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent police not to harass the petitioners in Crime No.8 of 2016 on the file of the Inspector, City Crime Branch, Coimbatore City.

For Petitioners : M/s.M.H.Harini Nagarajan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

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

2. The learned counsel for the petitioner would submit that on the basis of the complaint given by one Mayilsamy, a case has been registered against the petitioner in Crime No.8 of 2016 for the offences punishable under Sections 120(b), 456, 468, 471 r/w. 420 of IPC and the respondent is harassing the petitioner under the guise of enquiry and hence, he pray for direction directing the respondent police not to harass the petitioner.

3. At this juncture, the learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is a suspected accused in Crime No.8 of 2016. He

further submitted that investigation is going on. He would also submit that summons were issued to the petitioner for his appearance, but the petitioner without appearing before the respondent police, has come forward with this petition. Hence, he prayed for dismissal of the petition.

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. The petitioner is directed to appear before the respondent police for interrogation on 06.04.2016. Thereafter, if 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 Inspector of Police,
City Crime Branch,
Coimbatore City.

2.The Public Prosecutor, High Court, Chennai.

+ 1 cc to M/s.M.H.Harini Nagarajan, Advocate Sr 20427

KR/4/4/16

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