

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.6921 of 2016

1.K.Velusamy

2.Balasubramaniam

.. Petitioners

Vs.

1.The Superintendent of Police
Thirupur District
Thirupur.

2.The Inspector of Police
Land Grabbing Cell
Thirupur District.

3.The Inspector of Police
Dharapuram Police Station
Thirupur District.

.... Respondents

Prayer:- Petition has been filed under Section 482 of Cr.P.C. to direct the respondents not to harass the petitioners except due process of law.

For Petitioners : Mr.J.Arivalagan

For Respondents : Mr.C.Emalias
Addl. Public Prosecutor.

O R D E R

This petition is filed for issuing a direction to the respondents not to harass the petitioners under the guise of enquiry.

2.The learned counsel for the petitioners would submit that the petitioners have been harassed by the respondents under the guise of enquiry in connection with the case registered against them based upon the complaint lodged by one V.T.Subramaniam. Hence, they have come forward with this petition for the above stated relief.

3.Learned Additional Public Prosecutor submits that on the basis of the complaint given by one Malathi, the petitioners have been arrayed as accused in Crime No.120 of 2016 for offences under Sections 420, 467, 468 IPC read with Section 82 (d) of Registration Act. He further submits that the petitioners instead of co-operating for enquiry, have come forward with this petition, hence he prays for dismissal of this petition.

4.Considering the rival submissions made on both sides, even though the petitioners are accused, the respondents shall not harass them. Therefore, the respondents are 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 petitioner shall appear before the police and submit themselves for interrogation.

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

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Superintendent of Police
Thirupur District,
Thirupur.

2.The Inspector of Police
Land Grabbing Cell,
Thirupur District.

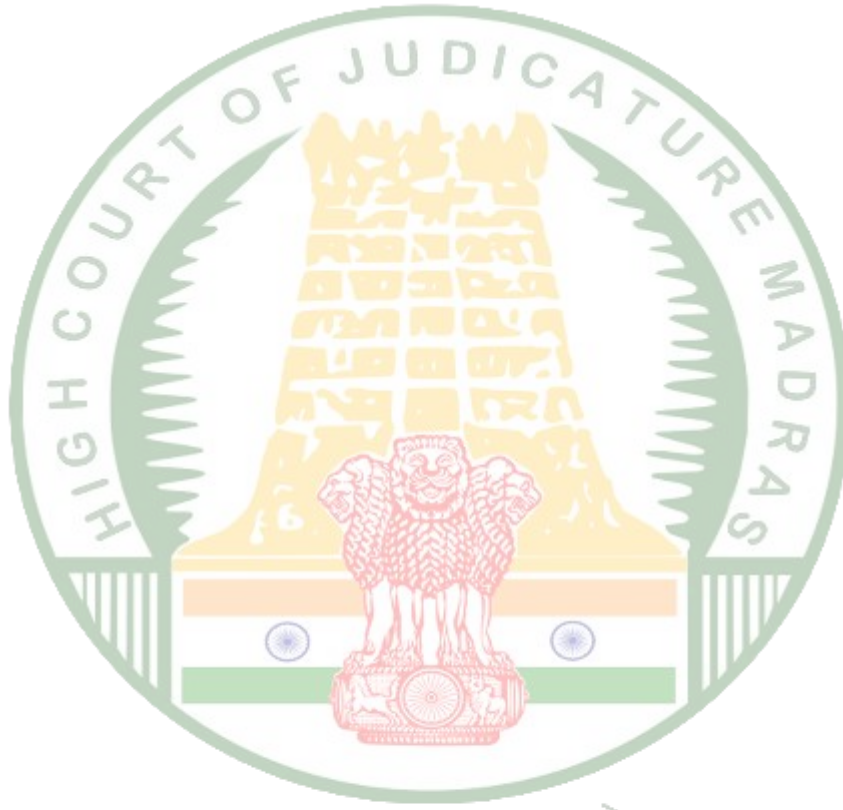
3.The Inspector of Police
Dharapuram Police Station
Thirupur District.

4.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.J.Arivalagan, Advocate SR 19570

jsv(co)
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सत्यमेव जयते

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