

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.6988 of 2016

Dhamu @ Dhamodaran

... Petitioner

Vs.

- 1.The Commissioner of Police,
Office of the Police Commissioner,
Greater Chennai, Vepary,
Chennai - 600 007.
- 2.The Inspector of Police,
P-6, Kodungaiyur Police Station,
Kodungaiyur, Chennai - 600 118. ... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second respondent not to harass the petitioner.

For Petitioner : Mr.R.Arun Kumar

For Respondents: Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the second respondent not to harass the petitioner.

2.Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

3.The learned counsel appearing for the petitioner would submit that since the petitioner was the accused in S.C.No.183 of 2013, if any offence has been committed anywhere, the respondent is calling the petitioner under the guise of enquiry and harassing him. Hence, the petitioner has come forward with this petition for the above stated relief.

4.At this juncture, the learned Additional Public Prosecutor would submit that the petitioner was served with proceeding under Section 110 of Cr.P.C., and without receiving the same, he

came forward with this petition for the above stated relief. Hence, he prayed for the dismissal of the petition.

5.Considering the rival submissions made on either side, the petitioner is directed to receive the proceeding under Section 110 of Cr.P.C. on 11.04.2016. The second 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 the petitioner is wanted for any interrogation, investigation or enquiry, the second respondent police is directed to issue summons to the petitioner. The petitioner is directed to appear before the respondent police for enquiry, on receipt of summons.

6.With the above direction, this Criminal Original Petition is disposed of.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Commissioner of Police,
Office of the Police Commissioner,
Greater Chennai, Vepary,
Chennai - 600 007.

2.The Inspector of Police,
P-6, Kodungaiyur Police Station,
Kodungaiyur, Chennai - 600 118.

3.The Public Prosecutor
High Court, Madras.

+2 ccs to Mr.R.Arun Kumar, Advocate sr no 30454[08/06/16]

Cr1.O.P.No.6988 of 2016

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