

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2016

CORAM

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.7012 of 2016

Mr.R.Palani

... Petitioner

Vs

1. The Commissioner,
Salem District,
Salem.

2. State by
Inspector of Police,
Kichipalayam Police Station,
Salem.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent not to harass the petitioner.

For Petitioner : Mr.B.Kumarasamy

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

Heard both sides.

2. The learned counsel for the petitioner would submit that the respondent is harassing the petitioner under the guise of enquiry on the basis of 110 Cr.P.C. proceedings and hence, the petitioner has come forward with this petition for the above stated relief.

3. The learned Additional Public Prosecutor would submit that a notice under Section 110 Cr.P.C was about to serve on the petitioner. However, the petitioner came forward to file this petition and hence, he prays for dismissal of this petition.

4. Considering the rival submissions, this Court directs the respondent to serve summon on the petitioner under Section 110 Cr.P.C. and the petitioner is directed to receive the same and appear before the respondent. The respondent is further directed not to harass the petitioner and act in accordance with law by following the judgment of the Apex Court in D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610.

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

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Commissioner,
Salem District,
Salem.
2. The Inspector of Police,
Kichipalayam Police Station,
Salem.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Kumarasamy, Advocate, S.R.No.19980

Cr1.O.P.No.7012 of 2016

SR(CO)
CA(15/04/2016)

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