

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.7287 of 2016

V.Elumalai

..

Petitioner

Vs.

1.The Commissioner of Police
Greater Chennai
Veperiy, Chennai.

2.The Inspector of Police
M6 Manali police station
Manali, Chennai-600 068.
Crime No.1331 of 2014

3.The Inspector of Police
MMC police station
Madhavaram milk colony
Chennai-51.
Crime No.1021 of 2015

4.The Inspector of Police
P6 Kodungaiyur police station
Kodungaiyur, Chennai-118.

... Respondents

Prayer:- Petition has been filed under Section 482 of Cr.P.C. to direct the respondents not to harass the petitioner at the instance of the alleged false and frivolous complaint lodged by the defacto complainant.

For Petitioner : Mr.M.Saravanan

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 petitioner under the guise of enquiry.

2.The learned counsel for the petitioner would submit that the petitioner has been harassed by the respondents under

the guise of enquiry in connection with the case registered against him based upon the complaint lodged by one Mala. Hence, the petitioner has come forward with this petition for the above stated relief.

3.Heard the learned Additional Public Prosecutor.

4.Considering the rival submissions made on both sides, even though the petitioner is an accused in Crime Nos.1331 of 2014 and 1021 of 2015, the respondents shall not harass him under the guise of enquiry. Therefore, the respondents are 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 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 himself for interrogation.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

kj

To

1.The Commissioner of Police
Greater Chennai
Vepery, Chennai.

2.The Inspector of Police
M6 Manali police station
Manali, Chennai-600 068.
Crime No.1331 of 2014

3.The Inspector of Police
MMC police station
Madhavaram milk colony
Chennai-51.
Crime No.1021 of 2015

4.The Inspector of Police
P6 Kodungaiyur police station
Kodungaiyur, Chennai-118.

5.The Public Prosecutor, High Court, Madras.

+1 cc to M.Saravanan, Advocate, sr.22471

Cr1.O.P.No.7287 of 2016

ad co
kra 20.04.2016



WEB COPY