

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CrI.O.P.No.7399 of 2016

Ragunath

... Petitioner

Vs.

1.The Superintendent of Police,
Cuddalore District.

2.The Deputy Superintendent of Police,
Neyveli,
Cuddalore District.

3.The Inspector of Police,
8th Block Police Station,
Neyveli Township,
Cuddalore District.

4.The Sub-Inspector of Police,
8th Block Police Station,
Neyveli Township,
Cuddalore District.

... Respondents

Prayer :

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

For Petitioner: Mr.S.Rajanikanth

For Respondents: Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the fourth 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 the petitioner and one Ramesh are friends and the petitioner borrowed a sum of Rs.5 Lakhs from the said Ramesh,

and he also repaid the same, but the said Ramesh has given a complaint against the petitioner and the fourth 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 on the basis of the complaint given by one Ramesh, a case has been registered in Cr.No.113 of 2016 for the offence punishable under Sections 294(b), 420, 506(i) of I.P.C. and the petitioner is arrayed as the first accused. Hence, he was called for by the fourth respondent, but without appearing before the respondent for investigation, 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, though the petitioner is an accused in the case in Cr.No.113 of 2016, the fourth 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 really, the police want to interrogate, it is open for the fourth respondent police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation.

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

pri

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Cuddalore District.
2. The Deputy Superintendent of Police,
Neyveli,
Cuddalore District.
3. The Inspector of Police,
8th Block Police Station,
Neyveli Township,
Cuddalore District.

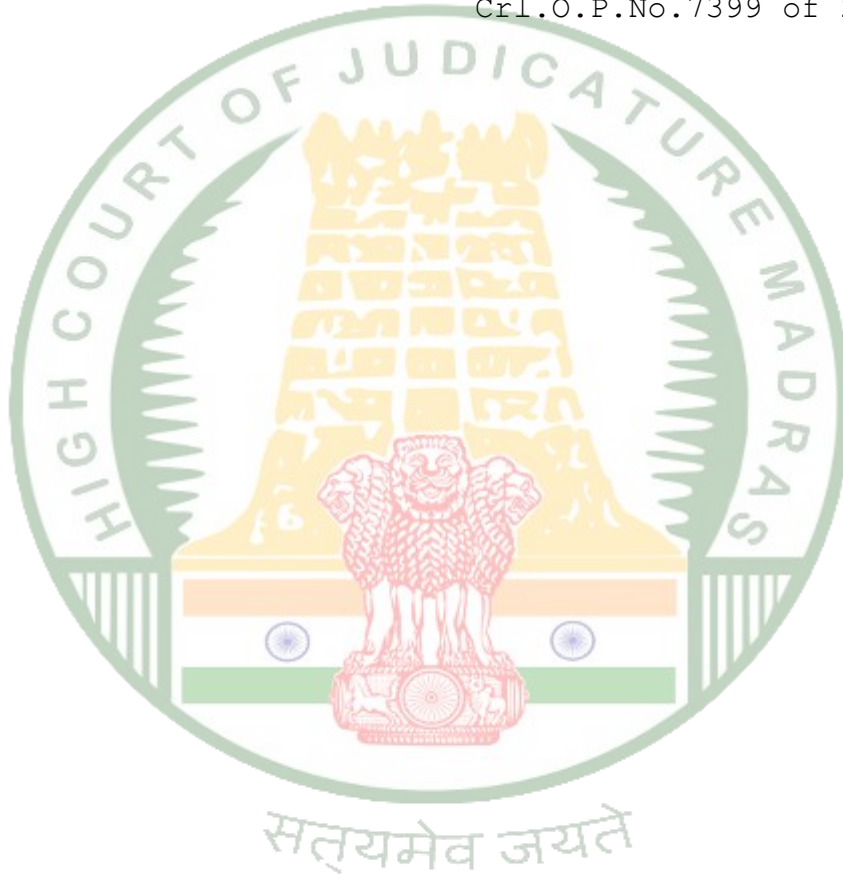
4.The Sub-Inspector of Police,
8th Block Police Station,
Neyveli Township,
Cuddalore District.

5.The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr.S.Rajanikanth, Advocate SR 21609

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prk22/4

Cr1.O.P.No.7399 of 2016



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