

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.7993 of 2016

1.M.Ramesh
2.M.Suresh ... Petitioners

Vs.

1.State rep.by
The Inspector of Police,
Kizhkodukanur Police Station,
T.V.Malai District.
2.The Superintendent of Police,
T.V.Malai District,
Venkikal,
T.V.Malai. ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents not to harass the petitioners.

For Petitioners :Mr.S.Swamidoss Manokaran
For Respondents :Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition is filed to direct the respondents not to harass the petitioner under the guise of enquiry.

2.The learned counsel appearing for the petitioners submitted that the petitioners have obtained loan from the HDFC Bank and the 1st respondent is misusing the power and initiated 110 proceedings and registered a case in Crime No.70 and 78 of 2016. He further submitted that the respondents are harassing the petitioners under the guise of enquiry and hence, the petitioners have come forward with this petition for the above stated relief.

3.The learned Additional Public Prosecutor for the respondents submitted that the police has gone to serve the

summons under Section 110 CrPC proceedings. Instead of receiving the same, this petition has been filed by the petitioners and there is no harassment. Hence, he prays for dismissal of this petition.

4.Considering the rival submissions made on both sides, the 1st respondent is 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. The petitioners are also directed to receive the summons and appear before the 1st respondent for interrogation on 15.04.2016.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Kizhkodukanur Police Station,
T.V.Malai District.
- 2.The Superintendent of Police,
T.V.Malai District,
Venkikal,
T.V.Malai.
- 3.The Public Prosecutor,
Madras High Court,
Madras.

+lcc to Mr.Swamidoss Manokaran, Advocate, S.R.No.22947

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