

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.8471 of 2016

G.Balamurugan

.. Petitioner

Vs.

The Inspector of Police,
Thiruvennai Nallur Police Station,
Thiruvennai Nallur,
Villupuram District.

.. Respondent

Prayer:- Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondent not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the respondent not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner would submit that the respondent is harassing the petitioner under the guise of enquiry and hence, he pray for direction directing the respondent not to harass the petitioner.

3. At this juncture, the learned Additional Public Prosecutor appearing for the respondent would submit that a case has been registered against the petitioner in Crime No.149 of 2015 for the offence punishable under Section 52 of Indian Medical Council Act. He further submitted that already the petitioner was arrested and enlarged on bail and there is no harassment.

4. Considering the above submissions and even though the petitioner is an accused in Crime No.149 of 2015, the 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 police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit him for interrogation.

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

cse

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,
Thiruvennai Nallur Police Station,
Thiruvennai Nallur,
Villupuram District.

2.The Public Prosecutor, High Court, Chennai.

+ 1 cc to Mr.R.Marudhachalamurthy, Advocate Sr 24682

KR/28/4/16

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सत्यमेव जयते

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