

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.9475 of 2016

Ravichandran

... Petitioner

Vs.

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
2. The Deputy Superintendent of Police,
Dharmapuri Range,
Dharmapuri District.
3. The Inspector of Police,
District Crime Branch,
Dharmapuri - 5.

... Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents 1 to 3 not to harass the petitioner in the name of enquiry based on the notice dated 11.04.2016.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

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

2. The learned counsel for the petitioner would submit that on the basis of the complaint given by one Kumaresan, the respondents are harassing the petitioner under the guise of enquiry and hence, he pray for direction directing the respondent police not to harass the petitioner.

3. At this juncture, the learned Additional Public Prosecutor appearing for the respondents would submit that on the basis of the complaint given by the de-facto complainant, which was taken as C.No.135 of 2016, the petitioner appeared before the respondent police on 18.04.2016 for enquiry and he undertook to appear before the respondent police on 20.04.2016, but without appearing for enquiry, the petitioner has come forward with this petition seeking for a direction not to harass the petitioner.

4. Considering the above submissions and since enquiry is pending in C.No.135 of 2016, 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 him for interrogation.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

cse

To

1. The Superintendent of Police,
Dharmapuri District, Dharmapuri.
2. The Deputy Superintendent of Police,
Dharmapuri Range, Dharmapuri District.
3. The Inspector of Police,
District Crime Branch, Dharmapuri - 5.
4. The Public Prosecutor
High Court, Chennai.

+1cc to Mr.K.Gandhi Kumar, Advocate, S.R.No.27111

CrI.O.P.No.9475 of 2016

LRS (CO)

CA(17/05/2016)