

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.9519 of 2016

Shaik Mubarak

.. Petitioner

Vs.

The Inspector of Police,
Mylapore Police Station,
Mylapore,
Chennai.

... Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent, Inspector of Police, Mylapore Police Station not to harass the petitioner, his family members and his workers, who is doing the demolishing works and their land based on the illegal activities of Mr.Naresh and Deepa.

For Petitioner : Mr.K.Pasupathy

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 on the basis of the complaint given by the de-facto complainant, the respondent is 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, petition enquiry in C.S.R.No.458 of 2016 is pending.

4. Considering the above submissions, 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

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
Mylapore Police Station,
Mylapore,
Chennai.

2.The Public Prosecutor
High Court, Chennai.

+ 1 cc to M/s.L.Poomparai, Advocate, SR 26669

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