

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.9567 of 2016

Mrs.Prema

... Petitioner

Vs.

1.The Commissioner of Police,
Coimbatore District.

2.The State, By Inspector of Police,
All Women Police Station,
R.S.Puram West, R.S.Puram,
Coimbatore.

... Respondents

Prayer :

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

For Petitioner : Mr.J.Kalidas

For Respondents: Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the second 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 on the basis of the complaint registered in Crime No.666 of 2015 for the offence punishable under Section 363 I.P.C. altered to 366(A) of I.P.C. against the petitioner's son, the respondents are frequently calling the petitioner and harassing her under the guise of enquiry.

4.At this juncture, the learned Additional Public Prosecutor would submit that the petitioner's son one Maniraja eloped with one minor girl Aarthi. Hence, a case was registered against him. His whereabouts are not known and hence, she was called for interrogation and hence, prays for dismissal of the petition.

5.Considering the submissions made on both sides and as a case has been registered against the petitioner's son Maniraja in Crime No.666 of 2015 for the offence punishable under Section 363 I.P.C. altered to 366(A) of I.P.C. and the whereabouts of the accused are not known and hence the petitioner was called for interrogation, this Court feels it a fit case for giving a direction. Hence, the second 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 respondent police to issue summons to the petitioner. However, the petitioner is directed to appear before the respondent police for interrogation on receipt of summons.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Commissioner of Police,
Coimbatore District.

2.The Inspector of Police,
All Women Police Station,
R.S.Puram West, R.S.Puram,
Coimbatore.

3.The Public Prosecutor
High Court, Madras.

+1 cc to M/s.J.Kalidas Advocate sr.27708

Cr1.O.P.No.9567 of 2016

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