



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P (MD) No.1197 of 2016

1.Chinnasamy
2.Mahalingam

: Petitioners

Vs.

The State through
The Inspector of Police,
Sedpatty Police Station
Madurai District

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to issue appropriate direction to the respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint lodged by one Mariappan.

For Petitioners : Mr.P.Ganapathi Subramanian

For Respondent : Mr.A.P.Balasubramani
Government Advocate (Crl.Side)

ORDER

The petitioner has come forward with this petition, praying to issue appropriate direction to the respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint lodged by one Mariappan.

2. The counsel appearing for the petitioners would submit that the petitioners are the owner of the property in question. He would further submit that one Mariappan lodged a complaint with the respondent police against the petitioners stating that the petitioners have created a false document, dated 03.09.2014. He would also submit that the petitioners have filed an Anticipatory Bail application in Crl.O.P.(M)No.78 of 2016 and the same was closed as there was no petition pending with the respondent police. Now, the respondent police is harassing the petitioners under the guise of enquiry. Therefore, the petitioners have come forward with the aforesaid relief.

3. The Government Advocate (Crl.side), on instruction, would submit that petition enquiry was conducted and there is no such harassment against the petitioners and if any interrogation or any further investigation is needed by the respondent against the petitioners, the norms which are mentioned in the Judgement of Hon'ble Apex Court in D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610, would be followed. He would further submit that there will not be any harassment and the enquiry or interrogation would be done in accordance with law.



4. Recording the statement of the learned Government Advocate (Crl.side) that the respondent police would not harass the petitioner in future under the guise of any enquiry, the criminal original Petition is closed. The petitioners are directed to co-operate with the enquiry and also directed to appear before the respondent police, on issuance of summons.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar.

To

1.The Inspector of Police,
Sedpatty Police Station
Madurai District

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.P.Ganapathi Subramanian, Advocate, SR.No. 4045

ORDER MADE IN
Crl.O.P(MD)No.1197 of 2016
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AM/16.02.2016/NGM.SS/2P/4C