



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P(MD)Nos.1207 and 1208 of 2016

1.Muthupandi : Petitioner in Crl.OP.1207/2016
2.Alagarsamy : Petitioner in Crl.OP.1208/2016

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
Annanagar Police Station (L&O)
Madurai - 625 020.

: Respondents in both Crl.Ops.

COMMON PRAYER : Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the 2nd respondent herein not to harass the petitioner and his family members.

For Petitioners : Mrs.K.Malathi
For Respondents : Mr.A.P.Balasubramani
Government Advocate (Crl.Side).

ORDER

The petitioners have come forward with these petitions, praying to direct the 2nd respondent herein not to harass the petitioners and their family members.

2. The main grievance of petitioners is that without any valid reason, the respondent police are harassing the petitioner. The said submission of the petitioner is gainsaid by the Government Advocate (crl.side).

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 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. On perusal of the records would reveal that the petitioners/accused are accused in a murder case and the contention that they have been falsely implicated in this case, cannot be accepted. Therefore, the relief sought for by the petitioners as such, cannot be granted. However, recording the statement of the Government Advocate (Crl.side) that the 2nd respondent police will not harass the petitioner in future, under the guise of any enquiry, the criminal original Petition is closed. The petitioner is directed to co-operate with the enquiry and shall appear before the respondent police, on summons.

5. With the above direction, this Criminal Original Petitions are disposed of.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

1. The Commissioner of Police, Madurai City.

2. The Inspector of Police,
Annanagar Police Station (L&O)
Madurai - 625 020.

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

+2ccs to M/s.K.Malathi, Advocate, SR.Nos.3957 and 3956

MPK

RL/6C/GSV/AN/3/2/2016

ORDER MADE IN
Crl.O.P(MD)Nos.1207 & 1208 of 2016