



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P(MD)Nos.199 to 201 of 2016

WEB COPY

1.Dr.Santhosam	: Petitioner in Crl.OP.199/2016
2.Dr.Piramiyappan	: Petitioner in Crl.OP.200/2016
3.Dr.Ravindranath	: Petitioner in Crl.OP.201/2016

Vs.

The State Rep. By
The Inspector of Police,
Palamedu Police Station,
Madurai District.

: Respondent in both the
Crl.OP(MD)Nos.199 & 201/2016

The State Rep. By
The Inspector of Police,
Alanganallur Police Station,
Madurai District.

: Respondent in Crl.OP(MD)No.200/2016

COMMON PRAYER: Criminal Original Petitions are filed under Section 482 Cr.P.C., praying to direct the respondent not to harass the petitioners without due process of law.

For Petitioners : Mr.T.Lenin Kumar (in all Crl.OPs)

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

COMMON ORDER

The petitioners have come forward with these petitions, praying to direct the respondent not to harass the petitioners without due process of law.

2.The counsel for the petitioners submitted that the petitioners are harassed by the respondent police under the guise of enquiry. Relying upon the decision of this Court dated 03.03.2014, passed in Crl.O.P(MD)No.3305 of 2014, the learned counsel for the petitioners submitted that similar orders may be passed in respect of the petitioners also.

3.The Government Advocate (Criminal side), on instructions, would submit that petition enquiry is pending. He would further submit that there is no such harassment, as contended by the petitioners and the petitioners cannot use this order to stall the enquiry, that may be conducted by the respondent police.

<https://hcservices.ecourts.gov.in/hcservices/> I have heard the learned counsel appearing on either side.



5.Considering the rival submissions made on both sides, the respondent is directed not to harass the petitioners 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 petitioners. Thereupon, the petitioners shall appear before the police and submit themselves for interrogation. It is made clear that this order shall not be used to evade from the enquiry that may be conducted by the respondent police.

6.The Criminal Original Petitions are disposed of with the above direction.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police,
Alanganallur Police Station,
Madurai District.

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

+3cc to Mr.T.Leninkumar, Advocate in SR.1170,1168 & 1169/2016

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MPK

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