



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.8405 of 2016

K.Rajendran

.. Petitioner

Vs.

State through

1.The Superintendent of Police,
Virudhunagar,
Virudhunagar District

2.The Inspector of Police,
District Crime Branch
Virudhunagar District

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents not to harass the petitioner without following the due process of law.

For Petitioner : Mr.M.Subash Babu

For respondents : Mr.A.P.Balasubramani
Government Advocate (Criminal side)

ORDER

This application has been filed under Section 482 Cr.P.C. seeking a direction to the respondents not to harass the petitioner and to follow due process of law.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3.The petitioner herein is the accused in Crime No.25/2015 registered by the District Crime Branch, Virudhunagar.

4.The learned counsel for the petitioner would submit that when the petitioner has regularly and continuously appearing before the respondent pursuant to the orders passed by this Court dated 04.12.2015 in an application seeking anticipatory bail, there is no justification for the respondent to call the petitioner in the name of enquiry even thereafter. It is pointed out that the petitioner was appearing before the respondent initially for a period of one month and thereafter for a period of nearly 20 days.

5.The learned Government Advocate (Crl. Side) would submit that the petitioner was called only for the purpose of interrogation.



6.The respondent may be right in calling him for interrogation, but not forever. Repeated calling of the petitioner to the police station may amount to harassment, especially, when the petitioner has already appeared before the respondent for nearly 50 days. Under such circumstances, the 2nd respondent is directed to call the petitioner for interrogation by following the procedures contemplated under Section 41-A Cr.P.C., i.e., by issuing a notice directing the petitioner to appear before the respondent specifying the place and time for appearance and for enquiry and not otherwise.

With the above direction, this petition is disposed of.

Sd/

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

1.The Superintendent of Police,
Virudhunagar,
Virudhunagar District

2.The Inspector of Police,
District Crime Branch
Virudhunagar District

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

+1CC to M/S.M.Subash Babu, Advocate, SR.No. 27803

Cr1.O.P(MD)No.8405 of 2016
03.06.2016

AM/AAL.MPA/SAR-III/15.06.2016/2P/5C