



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) No.10172 of 2017

J.Subash : Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai.

2. The Inspector of Police,
Karimedu Police Station (Crime),
Madurai.

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent No.2 not to harass the petitioner and his family members without any legally sustainable complaint and to abide by the guidelines in D.K.Basu case in 1997 1 SCC 416.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.K.Anbarasan,
Government Advocate (Crl.Side).

O R D E R

This Criminal Original petition is filed seeking a direction to the second respondent not to harass the petitioner and his family members without any legally sustainable complaint and to abide by the guidelines in D.K.Basu case in 1997 1 SCC 416.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondents.

3. The learned counsel for the petitioner submitted that the petitioner and his wife is being harassed by the second respondent on the basis of an enquiry.

4. The learned Government Advocate (Criminal Side) on instructions submitted that a case was registered against the



petitioner under Section 379 of I.P.C., on the basis of the confession statement of an accused in a criminal case. It is further submitted that the enquiry was only in pursuant to the said criminal case.

5. Recording the statement of the learned Government Advocate (Criminal Side), the Criminal Original petition is closed. However, the second respondent is directed to conduct an enquiry only in the manner known to law and in the light of the guidelines found in D.K.Basu case reported in **1997 1 SCC 416**.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Inspector of Police,
Karimedu Police Station (Crime),
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.R.Venkatesan , Advocate in SR.No. 70312

pmu

AE/MR KKR/SAR3/16.08.2017/2P/5C

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