

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 27.09.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN****Cr1.O.P. (MD)No.13001 of 2017**

Shantha

.... Petitioner

Vs.

1. The Superintendent of Police,  
Kanyakumari District,  
at Nagercoil.

2. The Inspector of Police,  
All Women Police Station,  
Ozhinaseri,  
Nagercoil,  
Kanyakumari District.

.... Respondents

**Prayer:** Petition is filed under Section 482 of Cr.P.C., to direct second respondent police not to harass the petitioner without due process of law.

For petitioner : Mr.M.R.Sreenivasan  
For respondents : Mr.A.Ramar  
Additional Public Prosecutor

**O R D E R**

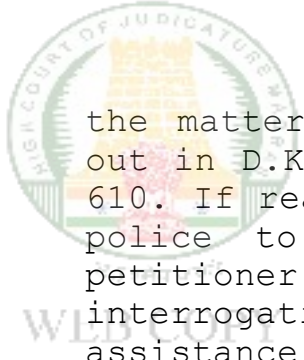
This petition has been filed to direct second respondent police not to harass the petitioner without due process of law.

2. Heard the learned Counsel appearing for the Petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. According to the learned Additional Public Prosecutor, the petitioner has given a complaint and the same is pending investigation.

4. However, the learned counsel for the petitioner submitted that the petition is only not to harass the petitioner.

5. Whatever might be the circumstances, there shall be no harassment to the petitioner, 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 petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation. The petitioner is also permitted to take the assistance of the Advocate to the limited extent as found envisaged in the precedent cited supra.

6. With the above observation, this Criminal Original Petition is disposed of.

Sd/-  
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Kanyakumari District,  
at Nagercoil.
2. The Inspector of Police,  
All Women Police Station,  
Ozhinaseri,  
Nagercoil,  
Kanyakumari District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to M/S. M.R.SREENIVASAN, Advocate, SR.No.81212.

Cr1.O.P.(MD)No.13001 of 2017  
27.09.2017

ta/das/am  
SDS/SV:MMS/SAR 1/06.10.2017/3P/5C