



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Cr1.O.P.(MD)No.13320 of 2017

Yogesh babu Petitioner

Vs.

1.The Superintendent of Police,
Ramnad District.

2.The Inspector of Police,
Kamuthi Police Station,
Ramnad District.

.... Respondents

Prayer: Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent to instruct the 2nd respondent not to harass the petitioner under the guise of enquiry without any case.

For petitioner :Mr.A.Uthayakumar

For Respondents :Mr.C.Ramesh

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 1st respondent to instruct the 2nd respondent not to harass the petitioner under the guise of enquiry

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 *Servot Engineering Pvt. Ltd. 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/
Vacation Officer/
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Ramnad District.

2. The Inspector of Police,
Kamuthi Police Station,
Ramnad District.

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

+One cc to M/s.A.Uthaya Kumar, Advocate, SR.No.81422

mm

RL/5C/2P/SKN/RSK/SAR1/5/10/2017

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