



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.V. MURALIDARAN

Cr1.O.P. (MD) No.13435 of 2017

WEB COPY

Ganesakannan

.... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Additional Superintendent of Police,
Ramanathapuram District.

3.Nicolus Kaviarasu

.... Respondents

Prayer: Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent and his subordinates not to interfere in civil dispute in connection with a contractual obligation at the instance of the 3rd respondent on the guise of enquiry.

For petitioner :Mr.R.Gandhi

For R1 & R2 :Mr.C.Ramesh

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 2nd respondent and his subordinates not to interfere in civil dispute in connection with a contractual obligation at the instance of the 3rd respondent on the guise of enquiry.

2.Heard the learned Counsel appearing for the Petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

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.**

<https://hcservices.ecourts.gov.in/hcservices/>

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/Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Ramanathapuram District.
2. The Additional Superintendent of Police,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. R. GANDHI Advocate in SR. No. 81343

MM

JS/SKN.RSK/SAR.3/4.10.2017/2P-5C

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