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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD)No.13761 of 2017

1. Arunachala Konar
2. Mariyappan @ Mari

... Petitioners

Vs.

1. The Superintendent of Police,
Tirunelveli District.
2. The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents, particularly, the second respondent not to harass the petitioners in the name of enquiry.

For Petitioners : M/s.R.Vinoth Bharathi

For Respondents : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

O R D E R

This Criminal Original petition is filed for issuing a direction to the respondents particularly, the second respondent not to harass the petitioners in the name of enquiry.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for respondents.

3. It is stated that the second petitioner had involved in certain cases and he is now working in Kerala. It is further stated that the petitioners have returned to their native to celebrate Diwali and however, the petitioners were called by the police without any reasons. Hence, the petitioners state that they were constrained to file this Criminal Original petition.



4. The learned Additional Public Prosecutor on instructions submitted that no complaint is pending against the petitioners and that therefore no enquiry is contemplated.

5. In these circumstances, the Criminal Original petition is closed with an observation that even if the presence of the petitioners is required for any enquiry, the same can also be done only after issuing summons prescribing date and time and in the manner known to law and following the guidelines issued by the Hon'ble Supreme court, in the case of **D.K.Basu Vs. State of West Bengal**.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District.
2. The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.R.Vinoth Bharathi, Advocate Sr.No.82451

PMU

VB/SKN/RSK/SAR2/30/10/2017/2P/5C

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