



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.14918 of 2017

Chellamani : Petitioner

-Vs-

The Inspector of Police,
Illupur Police Station,
Pudukottai District. : Respondent

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent Police not to harass the petitioner.

For Petitioner : Mr.T.A. Ebenezer
For Respondent : Mr.K.S. Duraipandian
Additional Public Prosecutor

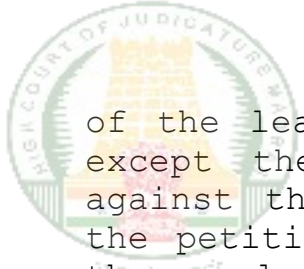
O R D E R

This petition is filed for issuing a direction to the respondent Police not to harass the petitioner under the guise of enquiry.

2. The petitioner is the wife of one Ganesan. It is not in dispute that the complaint was received as against the petitioner's husband and the case was registered for the offences under Section 15(3) of Indian Medical Council Act, 1956 and 420 of IPC.

3. It is stated that the petitioner's husband is selling expired medicines without valid licence to the patients. It is also stated by the learned Additional Public Prosecutor appearing for the respondent that the anticipatory bail petition filed by the petitioner's husband was also dismissed.

4. Be that as it may, the contention of the petitioner is that she has been unnecessarily harassed by the petitioner. The petitioner has not involved in any crime even as per the statement



of the learned Additional Public Prosecutor. It is stated that except the enquiry in connection the complaint received as against the petitioner's husband there was no harassment. Even the petitioner was not called for any enquiry in connection with the complaint obtained as against the petitioner's husband.

5. In such circumstances, this Court is inclined to pass the following directions:

"The respondent Police shall take necessary action as against the petitioner's husband in the manner known to law. However, there will not be any harassment of petitioner. Even if the petitioner's appearance is required for any enquiry the respondent Police shall follow the directions and guidelines of the Hon'ble Supreme Court in D.K.Basu Case reported in 1997 (1) SCC 416."

6. With the above observation, the Criminal Original Petition is closed.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Illupur Police Station,
Pudukottai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.T.A. Ebenezer, Advocate Sr.No.85424

TRP

VB/GT/SAR4/17/11/2017/2P/4C

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