



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

CRL.OP.(MD) No.15225 of 2017

1.Subramanian
2.Malarvalli
3.Paulsamy

... Petitioners

Vs.

1. The Superintendent of Police,
Sivagangai,
Sivagangai District.

2. The Inspector of Police,
Manamadurai Police Station,
Manamadurai,
Sivagangai District.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent not to harass the petitioners and their family members under the guise of enquiry on the basis of 1st petitioner's representation dated 03.11.2017.

For Petitioners : Mr.S.Muthukumar
For Respondents : Mr.A.Ramar,
Additional Public Prosecutor

ORDER

The Criminal Original Petition is filed to direct the second respondent not to harass the petitioners and their family members under the guise of enquiry on the basis of the first petitioner's representation dated 03.11.2017.

2.Heard the learned Counsel for the petitioners and Mr.A.Ramar, learned Additional Public Prosecutor who takes notice for the respondents.

3.The first petitioner has given a complaint alleging that his only son was murdered by some of his friends.



4.It appears that some of the persons, who had lent some money to the first petitioner's son, has given a complaint and it is stated that the respondent police called the petitioners for the enquiry for the amount lent to their son. In these circumstances, the petitioners have come with the present petition by stating that they were harassed by the second respondent police, for not settling the amount.

5.The learned Additional Public Prosecutor, on instructions, submitted that no petition enquiry is pending as against the petitioners and that therefore, no enquiry is contemplated. It is further submitted that the petitioners were not harassed by the respondent police.

6.Recording the statement of the learned Additional Public Prosecutor, the criminal original petition is closed. Even, if the appearance of the petitioners are required for an enquiry, the same shall be done only after issuing summons prescribed in the manner known to law and following the guidelines issued by the Honourable Supreme Court in the case of **D.K.Bashu vs. State of West Bengal**.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Superintendant of Police,
Sivagangai,
Sivagangai District.
2. The Inspector of Police,
Manamadurai Police Station,
Manamadurai,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Muthukumar, Advocate Sr.No.86837

CMR

VB/MR/KKR/SAR2/21.11.2017/2P/5C