



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2017

CORAM

WEB COPY

THE HONOURABLE MS.JUSTICE A.M.BASHEER AHAMED

Crl.O.P.(MD)No.5538 of 2017

M.Manikandan

: Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Mathichiyam Police Station,
Mathichiyam,
Madurai.

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the second respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.A.Mu.Sharavanan
For Respondents : Mr.K.Anbarasan,
Government Advocate (Crl. Side)

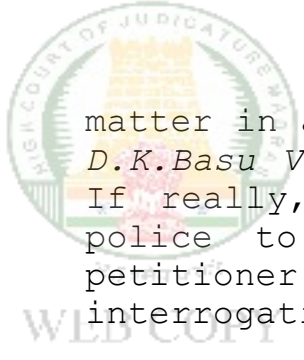
O R D E R

Heard both sides.

2. The learned Government Advocate (Crl. side) appearing for the respondents states that one Alagarsamy, has given a complaint against the petitioner and it is pending enquiry, before the second respondent herein and the alleged threat or harassment is not true.

3. The learned counsel appearing for the petitioner states that there is no connection with the said Alagarsamy and the petitioner herein and the respondent is harassing the petitioner under the guise of enquiry.

<https://hcservices.courts.gov.in/hcservices/>4. On perusing the rival submissions made on both sides, the second respondent is directed not to harass the petitioner under the guise of enquiry, 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. 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.

5. The Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
Mathichiyam Police Station,
Mathichiyam,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai-23

trp/rmk
RL/4C/2P/MR/SAR1/8.6.2017

Order made in

Cr1.O.P.(MD)No.5538 of 2017

01.06.2017