



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.9402 of 2017

1. Maruthaiya
2. Mahesh @ Maruthaiya
3. Chokkiya

... Petitioners

-Vs-

1. The Inspector of Police,
Manur Police Station,
Tirunelveli District.
2. The Sub-Inspector of Police,
Thevarkulam Police Station,
Tirunelveli District.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, praying this Court to direct the respondents not to harass the Petitioners under the guise of enquiry.

For Petitioners	: M/s.Dr.L.J.Soundararajan
For Respondents	: Mr.C.Ramesh
1 and 2	Addl. Public Prosecutor

O R D E R

This Criminal Original petition is filed for a direction to the respondents not to harass the Petitioners under the guise of enquiry.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and perused the materials placed before this Court.

3.The learned counsel for the Petitioners submitted that a criminal case was registered against the father of Petitioners 1 and 2 in Crime No.117 of 2015, for the offence under Sections 174, 302, 201 IPC. It is, in connection with the said criminal case, the Petitioners are being put to harassment by the Police even without summons.



4.The learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that in relation to a co-accused in this case, Non Bailable Warrant was issued and in connection with the execution of the warrant, enquiry was conducted. It is only in this connection, the Petitioners were called for enquiry and there was no harassment by the respondents.

5.Considering the facts and circumstances of the case that it is not disputed that the Petitioners are not involved in any offence and if the presence of the petitioners are required for any enquiry, they shall be called only after issuing summons prescribing date and time and in the manner prescribed in law.

6.With the above observation, this Criminal Original petition is closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Manur Police Station,
Tirunelveli District.
2. The Sub-Inspector of Police,
Thevarkulam Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.L.J.SOUNDARAJAN, ADVOCATE IN SR No. 66830

VSN

TE/SKN-RSK/SAR-III : 01/08/2017 : 2P/5C

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