

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.22085 of 2018

1.Anburaj
2.Sarankumar

...Petitioners

Vs.

1.State: Rep. By,
The Commissioner of Police,
Grater Chennai,
Vepery, Chennai-7.

2.The Inspector of Police,
Chrompet Police Station,
Chennai-44.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents not to harass the petitioners and their family members without due process of law to secure the ends of justice.

For Petitioners :Mr.S.Rajanikanth
For Respondents :M/s.M.Prabhavathi
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 1st respondent not to harass the petitioners and their family members under the guise of enquiry.

2.The learned counsel for the petitioners has submitted that the second respondent has already registered a case against the petitioners in Crime No.248 of 2018 under sections 341,294 (b), 324 and 506 (ii) of I.P.C. He further submitted that in that case, the petitioners were arrested by the second respondent and remanded to Judicial Custody and thereafter, the petitioners were released on bail. He further submitted that the fact remains so, the second respondent is unnecessarily harassing the petitioners by saying that he will take action under Section 110 Cr.P.C and hence he requests to direct the

respondent not to harass the petitioners except under due process of law.

3.The learned Additional Public Prosecutor has submitted that only for investigation purpose the petitioners were called, but they were not subjected to any harassment.

4. Admittedly, the petitioners were already arrested in Crime No.248 of 2018 under sections 341,294 (b), 324 and 506 (ii) of I.P.C. and they were remanded to Judicial custody and subsequently they were released on bail. Under the said circumstances, if the second respondent wants to examine the petitioners, he can issue summons fixing the date and time for the appearance of the petitioners and examine them. Instead of doing so, he should not unnecessarily harass the petitioners.

5. With the aforesaid directions, this Criminal Original Petition is disposed of.

gsp

Sd/-

Assistant Registrar (CS-V)

// True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Grater Chennai,
Vepery, Chennai.

2.The Inspector of Police,
Chrompet Police Station,
Chennai-44.

3.The Public Prosecutor,
Madras High Court, Chennai.

+ 1 CC TO MR.S.RAJANIKANTH, ADVOCATE SR 63281

KR/11/10/18

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