

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.05.2019

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THE HONOURABLE Mr.JUSTICE A.D.JAGADISH CHANDIRA

CRL.OP.Nos.12913 & 12915 of 2019

1.P.Imthiyas Kamal ... Petitioner in
Crl.OP.No.12913 of 2019

2.Mohammed Riyas Petitioner in
Crl.OP.No.12915 of 2019

Vs

1.The Commissioner of Police
Greater Chennai City, Vepery, Chennai.
2.The Inspector of Police,
Central Crime Branch-1
Vepery, Chennai. ... Respondents
in both the Crl.OP's.

COMMON PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent functioning under 1st respondent not to harass the petitioners in the pretext of an enquiry concerning his father Peer Mohammed in Cr.No.63 of 2017 on the file of the 2nd respondent.

For Petitioner : Mr.B.Satish Sundar (in both
Crl.OP's)

For Respondents : Mrs.P.Kritika Kamal,
Govt. Advocate (Crl. Side)
(in both Crl.OP's)

COMMON ORDER

These petitions have been filed seeking for a direction not to harass the petitioners.

2.When the matter is taken up today, the learned Government Advocate (Crl. Side) would submit that a case in Crime No.63 of 2017 has been registered by the 2nd respondent for the offences under Sections 465, 467, 468, 471 and 420 IPC against one Eliyas Peer Mohamed and others. She would further submit that the said Eliyas Peer Mohamed who is the father of the petitioner in Crl.OP.No.12913 of 2019 and junior paternal uncle of the

petitioner in Crl.OP.No.12915 of 2019, is arrayed as an 3rd accused. She would submit that the said Eliyas Peer Mohamed is absconding and that the respondent police are taking steps to secure him and thereby in order to enquire about the whereabouts of the said accused, the respondent police have visited the houses of the petitioners and other than that they have not harassed the petitioners. She would further reiterate that the petitioners are not arrayed as accused in Crime No.63 of 2017.

3.At this juncture, the learned counsel for the petitioners would submit that under the guise of enquiry, the petitioners are being harassed and that the respondents have taken both the petitioners to the police station and kept them there illegally for 2 days and thereby would seek to direct the respondent police not to resort any illegal methods and harassment.

4.Considering the fact that the petitioners are not accused in Crime No.63 of 2017, the respondent police is directed not to ill treat or harass the petitioners by adopting illegal measures.

5.Recording the same, these Criminal Original Petitions stand disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police
Greater Chennai City, Vepery, Chennai.

2.The Inspector of Police,
Central Crime Branch-1
Vepery, Chennai.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Satish Sundar , Advocate SR.No.44317(24/05/2019)

+1cc to Mr.B.Satish Sundar , Advocate SR.No.44318(24/05/2019)

CRL.OP.Nos.12913 & 12915 of 2019

mp(21/05/2019)