



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2019

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.(MD)No.4388 of 2019

1.M.Seenivasan

2.S.Karthika

... Petitioners

/Vs./

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

2.The Assistant Commissioner of Police,
Thilagar Thidal Police Station, Madurai.

3.W.Winkilin

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the 2nd respondent not to harass the petitioners upon the instigation by the third respondent.

For Petitioners : Mr.V.Santhakumaresan

For R-1 & R-2 : Mr.V.Neelkandan

Additional Public Prosecutor

ORDER

This petition is filed to direct the 2nd respondent not to harass the petitioners upon the instigation by the third respondent.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioners submitted that the petitioners complain of harassment by the second respondent (L & O) on the basis of the complaint given by the third respondent.

4. The learned Additional Public Prosecutor on instructions submitted that on the basis of the complaint of the third respondent, in which the third respondent had alleged that the petitioners have cheated him some money advanced to them and enquiry is being undertaken preliminarily to evaluate if commission of a case at all is made. The respondent police have never harassed the petitioners nor intended to harass them.



5. The said statement of the learned Additional Public Prosecutor is recorded.

6. If at all the third respondent requires the petitioners for any preliminary enquiry / interrogation in connection with the complaint disclosing the commission of any offence, then the same shall be done on summons under Section 41 A Cr.P.C., mentioning a specific date and time for enquiry and also giving reasonable time for them to travel to the venue of such enquiry. The petitioners are also directed to co-operate with the enquiry. During enquiry, there shall not be harassment to the petitioners. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Assistant Commissioner of Police,
Thilagar Thidal Police Station, Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.SANTHAKUMARESAN, Advocate (SR-56231[F] dated
25/03/2019)

SM

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