



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.11819 of 2020

Hithaya Banu

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram

2.The Inspector of Police
Kenikarai Police Station,
Ramanathapuram District.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to harass the petitioner and her family members under the guise of enquiry.

For Petitioner	: Mr.S.A.Ajmalkhan
For Respondents	: Mr.V.Neelakandan, Additional Public Prosecutor

O R D E R

This petition has been filed to direct the second respondent not to harass the petitioner and her family members under the guise of enquiry.

2.The petitioner would state that the second respondent Police came to her house on 31.08.2020 and conducted enquiry with her son and subsequently she came to know that the second respondent used her son's particulars in the 5th accused column in Crime No.549 of 2020. Thereafter, the second respondent came to the petitioner's house and scolded with unparliamentary words. In fact, on 10.10.2020, the second respondent entered into the petitioner's house and took the Pulsar two wheeler bearing registration No.TN 65 AF 6688 illegally. The petitioner would further state that one Satham Usain was surrendered before the Judicial Magistrate Court, Lalgudi, Trichy District, in the above crime number and the petitioner's son is in no way connected in the alleged offence and the second respondent has falsely implicated her son and came to the petitioner's house and harassing her family members.

3.When the petition is taken up for hearing, the learned Additional Public Prosecutor, on instructions, would submit that there is an enquiry pending against the petitioner.



4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

5.Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the respondents to follow the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** while enquiring the petitioner.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

Rm

To

- 1.The Superintendant of Police,
Ramanathapuram District,
Ramanathapuram
- 2.The Inspector of Police
Kenikarai Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.[MD]No.11819 of 2020
02.11.2020

ARK(CO)

KM (18.11.2020) 2P 4C