



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.12371 of 2020

Yasar Arabath

... Petitioner

vs.

1. The Commissioner of Police,
O/o. the Commissioner of Police,
Tirunelveli City.
2. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
3. Arunachalam
4. prabhu
5. Subramanian

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction in order to directing the respondent Nos.2 to 5 not to harass the petitioner in the guise of enquiry by considering the petitioner's representation dated 21.10.2020 and pass appropriate order.

For Petitioner	: Mr.S.M.A. Jinnah
For R-1 & R-2	: Mr. V. Neelakandan
	Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking direction to the respondent Nos.2 to 5 not to harass the petitioner in the guise of enquiry, by considering the petitioner's representation, dated 21.10.2020.

2.The learned counsel for the petitioner would reiterate the contentions raised in the petition. He would state that under the guise of enquiry, the petitioner is being called for and harassed and therefore, would pray for the above relief.

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

4.Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the respondents 1 and 2 to follow the principles laid down by the



Hon'ble Supreme Court in ***D.K.Basu vs. State of West Bengal reported in AIR (1997) SC 610***, while enquiring the petitioner.

Sd/-

Assistant Registrar (CSII)

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/ /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.

To

1. The Commissioner of Police,
O/o. the Commissioner of Police,
Tirunelveli City.
2. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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ARK(CO)
KB(27.11.2020) 2P 4C