



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P. (MD)No.13147 of 2020

C.Jaishankar

: Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul.

2.The Inspector of Police,
District Crime Branch,
Dindigul.

3.The Manager,
Tata AIG General Insurance Company Ltd.,
North Block, 3rd Floor,
Bye Pass Road, Madurai.

: 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 his family members under the guise of enquiry in the civil dispute.

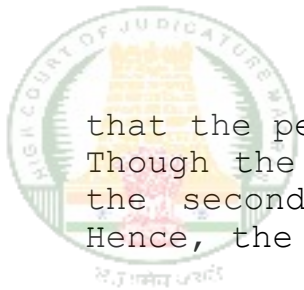
For Petitioner : Mr.D.Senthil

For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor, for R1 & R2

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner and his family members under the guise of enquiry.

2. The learned counsel appearing for the petitioner submitted that the petitioner purchased the tractor bearing Registration No.TN 60 C 2622, from one K.Mathiyalagan for agricultural purpose. Thereafter, the petitioner sold the tractor to one Ariraman, for which, the petitioner handed over the original documents to the said Ariraman and also received the delivery note from him. Subsequently, the second respondent called the petitioner for an enquiry, stating that the tractor met with an accident. He further submitted



that the petitioner has not known whose custody the tractor is with. Though the entire facts has been narrated to the second respondent, the second respondent has unnecessarily harassed the petitioner. Hence, the petitioner filed this petition.

3.The learned Additional Public Prosecutor appearing for the official respondents, on instructions, would submit that the petitioner was called for an enquiry only and the second respondent has not harassed the petitioner. He further submitted that before enquiry, summon will be issued to the petitioner.

4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

5.Whatever might be the circumstances, the respondent police investigate into the matter in accordance with law and the mandates as found set out in ***D.K.Basu Vs.State of West Bengal reported in AIR (1997) SC 610***. If really, the police want to interrogate, it is open for the police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation.

6.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das

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 Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul.



2.The Inspector of Police,
District Crime Branch, Dindigul.

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

WEB COPY

Crl.O.P. (MD) No.13147 of 2020
20.11.2020

SR (CO)
AP (08/12/2020) 3P 4C