



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD) No.13124 of 2020

V.Seenivasan

... Petitioner

Vs.

1. The Superintendent of Police
Dindigul District, Dindigul.

2. The Inspector of Police,
Chatrapatti Police Station,
Dindigul District.

3. V.Rathinam

4. R.Rajagopal

5. Rajendran

... Respondents

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 not to harass the petitioner on the guise of enquiry on the alleged complaint given by the respondents 3 to 5.

For Petitioner : Mr.S.Karthik

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

O R D E R

This Criminal Original Petition has been filed to direct the official respondents not to harass the petitioner under the guise of enquiry based on the complaint given by the respondents 3 to 5.

2. The learned counsel appearing for the petitioner reiterated the contentions set out in the affidavit. He further submitted that there was a property dispute between the petitioner and the respondents 3 to 5. In this regard, the respondents 3 to 5 lodged a complaint before the second respondent as against the petitioner. Due to which, the second respondent has harassed the petitioner



under the guise of enquiry. Hence, the petitioner made a representation dated 02.11.2020 to the first respondent and requested him to direct the second respondent not to interfere with the civil dispute and not to harass the petitioner.

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 respondent police 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 official respondents.

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 (CS-I)

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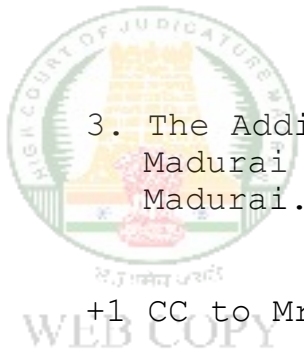
Sub Assistant Registrar(CS)

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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
Dindigul District, Dindigul.
2. The Inspector of Police,
Chatrapatti Police Station,
Dindigul District.



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

+1 CC to Mr.S.KARTHIK, Advocate (SR-22460[F] dated 23/11/2020)

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20.11.2020

SGS (CO)
CS (03.12.2020) 3P 5C