



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Crl.OP(MD)No.15812 of 2020

WEB COPY

1.Regithra
2.Sulotchana

... Petitioners

vs.

1.The Superintendent of Police,
O/o. Superintendent of Police,
Karur District, Karur.

2.The Inspector of Police,
Karur Police Station,
Karur District, Karur.

3.Nagarajan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to direct the second respondent not to harass the petitioners without any legally sustainable basis and to direct the respondents to follow the guidelines issued by the Hon'ble Supreme Court in D.K.Basu (1997 1 SCC 416) case in matters pertaining to arrest or interrogation.

For Petitioners

:Mr.T.Lajapathi Roy

For Respondents 1 & 2

:Mr.Erottuchamy,

Government Advocate (Crl. side)

O R D E R

The petitioners have filed the present petition under Section 482 of Criminal Procedure Code seeking for a direction to the second respondent not to harass the petitioners without following the guidelines issued by the Hon'ble Supreme Court in the decision in D.K.Basu, Ashok K.Johri vs. State of West Bengal, State of Uttar Pradesh reported in 1997 1 SCC 416.

2. Mr.Erottuchamy, learned Government Advocate (Crl. side) takes notice for the respondents 1 and 2 and contended that the third respondent lodged a complaint against the petitioners with the Inspector of Police, Karur Police Station and the First Information Report was also registered. He also contended that subsequently, the third respondent filed Crl.OP.No.1373 of 2017 and a Single Judge of this Court after considering the case, transferred the investigation to CBCID. His specific contention is that since no First Information Report is pending with the second respondent, the present petition is liable to be dismissed.

3. However, the contention of the petitioners is that the



second respondent is harassing the petitioners over phone and directed them to go over to Karur Police Station.

4. Considering the submissions made by the learned counsel for the petitioners, the second respondent is directed not to harass the petitioners, as alleged by them, especially, when the First Information Report is transferred to CBCID.

5. With the above observations, this petition is disposed of.
Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021
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,
O/o. Superintendent of Police,
Karur District, Karur.
- 2.The Inspector of Police,
Karur Police Station,
Karur District, Karur.
- 3.The Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-45[F] dated 05/01/2021)

Cr1.OP(MD)No.15812 of 2020
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