



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.15881 of 2020

1.M.C.Abilash
2.R.Saraswathi
3.S.Sumathi

... Petitioners

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Central Crime Branch,
Madurai.

3.Sermachamy

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to direct the respondents 2 and 3 not to harass the petitioners under the guise of an enquiry 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.A.Robinson

Government Advocate (Crl. Side)

ORDER

The petitioners have filed the present petition under Section 482 Cr.P.C praying to direct the respondents 2 and 3 not to harass them under the guise of an enquiry.

2.The case of the petitioners is that there was a financial dispute between the petitioners and the third respondent and that though the matter in issue is purely civil in nature, the second respondent is harassing the petitioner under the guise of an enquiry.

3.Per contra, Mr.A.Robinson, learned Government Advocate, who accepts notice for the respondents 1 & 2, would submit that the complaint given by the third respondent was registered as C.No.22/AC-CCB/Register Post Tapal/MC/2020 on 23.09.2020, and the same is pending for enquiry.

4.Considering the submissions made by the petitioners, the respondents 1 and 2 are directed to follow the guidelines of

<https://hcservices.ecourts.gov.in/hcservices/>



D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610.

5. With the above observation, the Criminal Original Petition is disposed of.

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Sd/-

Assistant Registrar ()

// 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 Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
Central Crime Branch,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-224[F] dated 06/01/2021)

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SSS(CO)
KB(04.02.2021) 2P 5C