



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2013

CORAM

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

CRL.O.P. (MD) No.15085 of 2013

WEB COPY

K.Periyasamy

.. Petitioner

Vs

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

2.The Inspector of Police,
Thallakulam Police Station,
Madurai District.

.. Respondents

Prayer:- Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the 2nd respondent not to harass the petitioner in the name of enquiry.

For Petitioner : Mr.A.Uthayakumar

For respondents : Mr.P.Kannithevan

Government Advocate (Crl. Side)

ORDER

This petition has been filed under Section 482 Cr.P.C., praying to direct the 2nd respondent not to harass the petitioner in the name of enquiry.

2. According to the learned counsel for the petitioner, the petitioner was harassed by the respondents police under the guise of enquiry and therefore, the respondents may be directed to follow the norms to be followed for doing interrogation and suitable orders may be passed for not harassing the petitioner.

3. The learned Government Advocate (Crl. Side) would submit that there is no harassment against the petitioner and and if any interrogation is needed by the respondents against the petitioner, the norms which are mentioned in the Judgement of Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal*** reported in ***AIR (1997) SC 610***, would be followed in case of interrogation or any further investigation. He would further submit that there will not be any harassment and the enquiry or interrogation would be done in accordance with law.

4. Considering the submissions made on both sides, the police is entitled to investigate the matter by interrogating the petitioner in proper manner. According to the submissions made by the learned Government Advocate, there was no harassment done by the police. He would also state that there will not be any harassment in future also.

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

5. Recording the statement of the learned Government Advocate (Crl. Side) that the respondents police will not harass the petitioner



in future under the guise of any enquiry in respect of the said case, this petition is closed with a direction to the effect that there shall be no harassment to the petitioner on the side of the respondents police and they are to follow the dictum laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal*** reported in ***AIR (1997) SC 610***.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub- Assistant Registrar

To

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

2.The Inspector of Police,
Thallakulam Police Station,
Madurai District.

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

+1cc to M/s/A.Uthayakumar, Advocate SR.No.53237

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