

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

Crl.O.P.No.2537 of 2015
and M.P.No.1 of 2015

Mohamed Naveed Saifullah

...Petitioner

vs.

The Inspector of Police,
District Crime Branch,
Tiruvellore,
Tiruvellore District.

...Respondent

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records of the respondent's notice dated 12.12.2014 comprised in G.D.P/715/S.P./TLR/14 dated 17.11.2014 issued against the petitioner in C.No.38/DSP/DCB/TLR/14 dated 17.11.2014 and to quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.M.N.S.Mohamed Habeeb Raja

For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

The petitioner challenges the notice issued by the respondent police directing the petitioner to appear before the respondent for enquiry on the complaint given by E.D.Shashi Kumar.

2. The learned Additional Public Prosecutor was directed to produce the copy of the complaint given by E.D.Shashi Kumar and a perusal of the complaint dated 17.11.2014 does not reveal any criminal offence. According to me, in the complaint dated 17.11.2014 given by E.D.Shashi Kumar, it is only stated that one K.Rubeena Tazeen and K.Rizwana Begaum borrowed Rs.25 lakhs in five instalments and committed default in repayment of the amounts and later they issued a cheque dated 01.09.2014 for a sum of Rs.25 lakhs and that was returned with an endorsement "Account Closed" when sent for collection. As the complaint does not disclose any criminal offence, the respondent is not justified in directing the petitioner to

appear before the respondent police in connection with the complaint given by E.D.Shashi Kumar.

3. Hence, this Criminal Original Petition is allowed and the respondent's notice dated 12.12.2014 comprised in G.D.P/715/S.P./TLR/14 dated 17.11.2014 in C.No.38/DSP/DCB/TLR/14 dated 17.11.2014 is quashed insofar as the petitioner is concerned. Consequently, connected miscellaneous petition is closed.

jvm

s/d-
Assistant Registrar(R)
Dt:18/3/2015

True Copy

Sub-Assistant Registrar

To

1. District Crime Branch,
Tiruvellore,
Tiruvellore District.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.M.N.S. Mohamed Habeeb Raja, Advocate SR 13507

sr(co)
prk20/3

Cr1.O.P.No.2537 of 2015

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