

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.10893 OF 2021

Sait

... Petitioner

Versus

1. The City Commissioner of Police,
Tiruppur City, Commissioner Office,
Tiruppur.

2. The State,
Represented by
Inspector of Police,
City Crime Branch,
Tiruppur (in Cr.No.8/2021)

3. S.Senthil Kumar,
Zonal Manager, Indian Bank,
Zonal Office, Erode,
No.184, VCTV Road, Sathy Road,
Erode.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent not to harass the petitioner under the guise of enquiry in Cr.No.8/2021 on the file of 2nd respondent.

For Petitioner : Mr.A.Parthasarathy

For Respondents: Mr.A.Damodharan,
Government Advocate (Crl.Side)

ORDER

The petitioner has filed this petition seeking not to harass him under the guise of enquiry in Crime No.8 of 2021. The contention of the petitioner is that as against him an FIR was case registered on 19.04.2021 and three summons were issued for his appearance. In the first two summons, the petitioner was

required to appear on 24.04.2020 and 10.05.2020, respectively, wrongly mentioning the year as 2020. Hence, there is a doubt with regard to the date of appearance.

2. In view of the same, the petitioner was not able to appear for the first two summons. Though the third summon was received on 16.06.2021 for his appearance on 18.06.2021, he was unable to respond to the same, due to his prior commitment. The petitioner admits the loan from the Indian Bank and he is ready to appear before the respondent police and co-operate with the investigation. The petitioner further submits that he shall appear before the respondent police on 30.06.2021 and also on the future dates to substantiate the enquiry.

3. The learned Government Advocate (Crl.Side) has submitted that the case in Crime No.8 of 2021 was registered for the offence under Sections 409, 468, 471, 477A and 420 IPC on the complaint given by the Zonal Manager, Indian Bank, Erode, against the Manger of Indian Bank. During investigation, one Dhandapani has given confession and disclosed certain facts with regard to the petitioner, which have to be verified. In view of the same, summons were issued the petitioner and called for enquiry. In the first two summons, there is a typographical error, hence, the third summons was issued, clearly mentioning the date of appearance. But the petitioner evading to appear before the respondent Police.

4. In view of the above, this Court directs the petitioner to appear before the respondent Police to cooperate with the enquiry. Further, this Court directs the petitioner to appear before the respondent Police on 30.06.2021 and thereafter, on the future dates, if he is required for investigation in Crime No.8 of 2021.

5. This Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

dna

To

1. The City Commissioner of Police,
Tiruppur City, Commissioner Office,
Tiruppur.
2. The Inspector of Police,
City Crime Branch, Tiruppur.
3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.10893 of 2021

SPD(CO)
CS/29/06/2021



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