



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.15559 of 2021

B.Gnanaprakasam

... Petitioner

Versus

The State of Tamil Nadu
Rep. by S.I. of Police E.D.F.-II
Team III, Central Crime Branch
Vepery, Chennai 600 007.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct respondent not to harass the petitioner in F.I.R. No. 90 of 2021 dated 29.03.2021 pending on its file.

For Petitioner : M/s.T.T.Ravichandran

For Respondent : Mr.A.Damodaran,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed not to harass the petitioner.

2. The learned counsel for the petitioner would submit that the petitioner is not a named accused in Crime No.90 of 2021. Under the guise of enquiry in the above case, the petitioner has been called at odd hours and he is no way connected with the other accused in this case. The petitioner is attempted to be falsely implicated. He would further submit that the petitioner had earlier paid 50% of the amount said to have been cheated by him.

3. The learned Government Advocate (crl.side) would submit that though the petitioner name is not finds place in the First Information Report, his involvement in the above offence has been ascertained and confirmed. As per the investigation, so



far in this case Rs.3,20,00,000/- have been cheated and misappropriated and the petitioner had played an active role and through him, Rs.1,17,00,000/- has been misappropriated and cheated. For the purpose of investigation the petitioner is needed and hence, summons were issued to the petitioner, which is cannot be termed as harassment.

4. This Court considered the submissions made on either side and perused the materials available on records carefully.

5. Considering the above submissions, this court finds calling the petitioner for enquiry cannot be termed as an harassment and hence this Criminal Original Petition is liable to be dismissed. If the respondent police finds refusal to respond to the summons, they are free to take coercive steps to secure the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mrp

To

The Sub Inspector of Police E.D.F.-II,
Team III, Central Crime Branch,
Vepery, Chennai 600 007.

CRL.O.P.No.15559 of 2021

RSV (CO)
PR (30/09/2021)