

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.18830 of 2021

&

WMP.Nos.20132 & 20133 of 2021

M/s. Attica Gold Private Limited

Represented by its Manager

Mrs.M.Nanditha

Head Office at No.11/4, Ground Floor,

Suvarna Bhavan, Queens Road,

Bangalore.

... Petitioner

Versus

1. The Superintendent of Police

Chengalpattu,

Chengalpattu District.

2. The Inspector of Police,

Maraimalai Nagar Police Station,

Chengalpattu District.

... Respondents

PRAYER: This Writ Petition had been filed under article 226 of the constitution, to issue Writ of Mandamus, forbearing the 2nd respondent from entering into the petitioner's business place situated at No.84, GST

Road, Guduvancherry, Chennai - 603 202 and harassing the petitioner's employees in the guise of enquiry without following the due process of law.

For Petitioners : Mr.I.Abdul Basith.

For Respondents : Mr.A.Damodharan,
Counsel for Government of
Tamil Nadu (CrI.Side)

ORDER

This Writ Petition had been filed to issue Writ of Mandamus, forbearing the 2nd respondent from entering into the petitioner's business place and harassing the petitioner's employees in the guise of enquiry without following due process of law.

2. The learned counsel for the petitioner submitted that the petitioner is a private company registered under the Companies Act and they are involved in Gold business, namely, purchasing of gold from genuine customers and selling the same to other customers on the present market value. The petitioner's company is having branch office at No.84, GST Road, Guduvancherry, Chennai - 603 202. The 2nd respondent, under the guise of enquiry with regard to Crime Nos. 291 of 2021 and

292 of 2021, visiting the petitioner's premises, forcing them to part with certain company's documents and thereby, harassing the petitioner. He further submitted that one Rajesh had transaction with the petitioner's company on 24.04.2021 and 19.07.2021, one Ravindra Reddy on 26.04.2021 and one Sudhmitha on 21.07.2021. The above said transactions have been recorded in the Bills and the Register maintaining by the petitioner's company. Only after verifying KYC documents of the said persons, the petitioner had entered into the transaction, which cannot be found fault with and the petitioner has been unnecessarily harassed by the respondent police.

3. The learned Government Advocate (crl.side) submitted that the petitioner company is required only for the purpose of producing the documents with regard to the transaction of the Rajesh, Ravindra Reddy, and Sudhmitha, who are involved in the case of theft in Crime Nos.291 and 292 of 2021 and collection of the copy of the KYC documents. He further submitted that apart from the above cases, another case is pending in Crime No.516 of 2021 for the offences under Sections 392, 341 and 397 IPC on the file of the Tirukalungundram Police Station.

4. The learned counsel for the petitioner submitted that the petitioner shall appear before the respondent police and produce all the documents needed for investigation with regard to Crime Nos.291 & 292 of 2021.

5. In view of the same, the petitioner is directed to appear before the respondent police on 22.09.2021 and on further dates, if required .

6. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed.

14.09.2021

Index: Yes/No
Internet: Yes/No
mrp

To

1. The Superintendent of Police
Chengalpattu,
Chengalpattu District.
2. The Inspector of Police,
Maraimalai Nagar Police Station,
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M.NIRMAL KUMAR, J.

mrp



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