



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.17422 of 2021

D.Guruprasad

...Petitioner

Vs.

1. The Commissioner,
Office of the Commissioner of Police,
EVK Sampath Salai,
Vepery,
Chennai - 600 007.

2. The State rep. by
The Inspector of Police,
F-2, Police Station,
Egmore, Crime Branch,
Chennai - 600 008.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police not to harass the petitioner and his family members under the guise of an enquiry.

For Petitioner : Mr.S.Mohana Sundara Rajan

For R1 & R2 : Mr.A.Damodaran
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the respondent police not to harass the petitioner and his family members under the guise of an enquiry.

2.The learned counsel appearing for the petitioner submits that the petitioner had sent a representation on 13.09.2021, seeking protection from the harassment of the second respondent. But no action has been taken. The petitioner further submits that he is a driver employed under Rahulnath and the mobile Number of Rahulnath is 9841071819 and his son Akilnath mobile



Number is 9841033060. The petitioner used to get instruction from his owner and collect parcels from one person viz., Lucky, a Nigerian Person and nothing more. The petitioner is an innocent person and he acted only on the instruction of the said Rahulnath.

3.The learned Additional Public Prosecutor submits that the petitioner had regular contacts with the said Nigerian Person, who is involved in serious offence. Hence, the petitioner is needed for enquiry. He further submits that now only he is furnishing the phone particulars before this Court and about his work, nature of work, the mobile numbers of his owners viz., Rahulnath and Akilnath.

4.The learned counsel appearing for the petitioner submits that the petitioner is ready to appear before the respondent police and to co-operate with the enquiry. He also seeks a direction to return the phone of the petitioner.

5.The learned Additional Public Prosecutor submits that phone will be handed over to the petitioner, after enquiry, if the mobile is not needed anymore. For the present to verify the call details, messages, contacts, the examination of the petitioner's mobile is necessary.

6.In view of the undertaking given by the petitioner, this Court directs the petitioner to appear before the respondent police on 28.09.2021 and thereafter the respondent police is directed to proceed with the enquiry.

7.With the above direction, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Office of the Commissioner of Police,
EVK Sampath Salai,
Vepery,
Chennai - 600 007.



2. The Inspector of Police,
F-2, Police Station,
Egmore, Crime Branch,
Chennai - 600 008.

WEB COPY

3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Mohanasundarajan, Advocate, S.R.No.49101

Crl.O.P.No.17422 of 2021

SR-II (CO)
RGA(27/09/2021)