



CRL.O.P.No.22005 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.22005 of 2021

ACR TEX Rep by,
R.Senthil Kumar,
S/o.Ramasami
No.2/270, Kavagkadu,
K.Ayyanpalayam,
Palladam Taluk,
Thiruppur District-641 664. ... Petitioner

Versus

1. The State Rep by.,
The Superintendent of Police, (Rural)
Coimbatore.

2. The State Rep by.,
Inspector of Police,
District Crime Branch, Coimbatore.

3. Santha Textiles, Rep by C.B.Vishnu,
No.119-C, Car Street,
Somanur, Thiruppur - 641 668. ... Respondents

PRAYER: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent not to harass the petitioner company and its director without any due process of law.



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For Petitioner : Mr.I.Saddam Hussain
For Respondent : Mr.R.Vinothraja
Nos.1 & 2 Government Advocate (Crl. Side)

ORDER

The petitioner has been summoned for enquiry on the complaint given by the third respondent and the petitioner, failing to respond the enquiry, has filed this petition.

2. The contention of the learned counsel for the petitioner is that the petitioner having business transaction with the third respondent and payments regularly made. Business have been properly conducted. Now, there is some dispute in the business and gave a criminal color as though the petitioner has cheated. The petitioner has got contemporary documents to show that it is only purely business transaction.

3. The learned Additional Public Prosecutor submits that the petitioner cheated the defacto complainant to the tune of Rs.50 lakhs. The petitioner, when summoned, has failed to respond and give any explanation.



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4.The learned counsel for the petitioner submits that the petitioner earlier appeared before the respondent police on 08.11.2021 and gave an undertaking to produce the documents on 16.11.2021. In the meanwhile, harassment of the respondent police aggravated. On instructions, now, the petitioner is ready to appear before the respondent police and produce the relevant documents and give his explanation about the business transaction with the third respondent.

5.In view of the same, the petitioner is directed to appear before the respondent police on 07.12.2021 without fail and thereafter, the respondent police is directed to enquire and proceed with the matter in accordance with law.

6.With the above direction, this Criminal Original Petition is disposed of.

Index: Yes/No
Internet: Yes/No
drm/sms

19.11.2021



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M.NIRMAL KUMAR, J.

drm/sms

To

1. The Superintendent of Police, (Rural)
Coimbatore.
2. The Inspector of Police,
District Crime Branch,
Coimbatore.
3. The Public Prosecutor,
High Court, Madras.

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