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CrI.O.P.No.22026 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.22026 of 2021

D.Shathiyamoorthi

... Petitioner

Versus

1. The Superintendent of Police
Nagapattinam District.

2. Inspector of Police,
Vedaranyam Police Station,
Nagapattinam District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the first respondent to instruct the second respondent not to harass the petitioner in the name of enquiry.

For Petitioner	:	Mr.Surya
For Respondents	:	Mr.E.Raj Thilak Additional Public Prosecutor



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ORDER

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2. The grievance of the petitioner is that the petitioner was never called as Subbhu and on a wrong premise, the petitioner is identified as Subbhu, son of Dhanapal and he has been called for enquiry, as if he is the accused in Crime No.166 of 2017.

3. The learned Additional Public Prosecutor submitted that in this case accused is a part of larger conspiracy, which is indulged in smuggling of ganja. He further submitted that the petitioner is identified as Subbhu and the Petitioner's father's name and address are tallying with original records, he has been arrayed as A8 in Crime No.166 of 2017 and since the petition and other records reveal his name as Shathiyamoorthi, taking advantage of the same he has filed this Criminal Original Petition . He further submits that now the case is transferred to the file of NIB-CID



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on 01.10.2021 and investigation would be stepped up and the accused would be apprehended and the name of the accused as well as larger conspiracy would be unearthed.

4. The learned counsel appearing for the petitioner, on instructions submitted that the petitioner herein will appear before the NIB-CID on 08.12.2021 at 10.30 A.M. to disprove that he is Subbhu.

5. In view of the submission made by the learned Additional Public Prosecutor and also on a perusal of the records, finds that since huge amount of ganja has been seized from the accused and now that the case has been transferred to NIB-CID, this Court directs the petitioner to appear before the Inspector of Police, NIB-CID, Nagapattianam on **08.12.2021 at 10.30 A.M.** with all relevant records to prove that he is not Subbhu, as recorded in the F.I.R and his name is Mr.D.Sathiyamoorthi and on proper enquiry, the **Inspector of Police, NIB-CID, Nagapattinam** shall proceed in accordance with law.



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M.NIRMAL KUMAR, J.

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6.This Criminal Original Petition is disposed of accordingly.

01.12.2021

Index: Yes/No

Internet: Yes/No

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Note: Issue order copy on 03.12.2021

To

1. The Superintendent of Police
Nagapattinam District.

2. Inspector of Police,
Vedaranyam Police Station,
Nagapattinam District.

3. Inspector of Police,
NIB-CID, Nagapattinam.

4.The Public Prosecutor,
High Court, Madras.

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