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Crl.O.P.No.15659 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 06.07.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**Crl.O.P.No.15659 of 2022**

T.Gnanasekaran

... Petitioner

Vs.

The State,  
Rep by Deputy Superintendent of Police,  
EOW-II, Villupuram,  
District Police Office Campus,  
Villupuram-605602.

..Respondent

**Prayer:** This Criminal Original Petition filed under Section 482 Cr.P.C praying to direct the respondent police not to harass the petitioner by appreciating the facts and circumstances of the case.

For Petitioner

: Mr.A.Ramesh  
Senior Counsel  
for Mr.DeepanUday

For Respondent

: Mr.A.Gokulakrishnan  
Additional Public Prosecutor



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## **ORDER**

This Criminal Original Petition has been filed to direct the respondent police not to harass the petitioner under the guise of enquiry.

2. It is the contention of the learned Senior Counsel that the petitioner is neither an accused nor the complainant and he is no way connected with the alleged transaction. He further contended that the petitioner's as well as his family member's bank accounts were under the surveillance of the respondent police.

3. The learned Additional Public Prosecutor appearing for the respondent on instructions submitted that there are complaints against some other persons in respect of huge financial irregularities. Due to which, they collected the account details.

4. In such view of the matter, if the respondent police wants to examine any person as a witness, they will have to issue summon or notice as per the law for examining any person. Further, without following the due process of law, the respondent cannot interfere in the affairs of the person under the pretext of



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enquiry.

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5. Such being the position, it is for the investigating agency to issue appropriate notice to the petitioner if they really wants to examine him for enquiry and on such notice, the petitioner shall appear for enquiry and co-operate with the investigation.

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

**06.07.2022**

Speaking Order/Non-speaking Order

Index :Yes/No

Internet:Yes/No

nr/shk

To

1. Deputy Superintendent of Police,  
EOW-II, Villupuram,  
District Police Office Campus,  
Villupuram-605602.

2. The Public Prosecutor,  
Madras High Court,  
Chennai.



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**N. SATHISH KUMAR,J.**

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