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Crl.O.P.No.15693 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 08.07.2022**

**CORAM**

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

**Crl.O.P.No.15693 of 2022**

Mohan Babu

... Petitioner

Vs.

1.The state

Rep by Dy. Superintendent of police  
EOW Wing, HQRS,  
Ashok Nagar,  
Chennai 600 083.

2.The state,

Rep by Inspector of Police,  
EOW Wing, HQRS,  
Ashok Nagar,  
Chennai 600 083.

..Respondents

**Prayer:** This Criminal Original Petition filed under Section 482 Cr.P.C praying to direct the 1<sup>st</sup> and 2<sup>nd</sup> respondents police not to harass the petitioner by appreciating the facts and circumstances of the case.

For Petitioner

: Mr.A.Ramesh  
Senior Counsel  
for Mr.Deepan Uday

For Respondents

: Leonard Arul Joseph Selvam  
Government Advocate(Crl.Side)



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## **ORDER**

This Criminal Original Petition has been filed to direct the respondents 1 and 2 not to harass the petitioner under the guise of enquiry.

2. Learned Senior counsel for the petitioner would submit that the petitioner is neither a complainant nor an accused. However, he has been repeatedly called by the respondent police under the guise of enquiry.

3. The learned Government Advocate(Crl.side) for the respondents on instructions submitted that there is a complaint pending against the petitioner. Based on the complaint, notice has been issued to the petitioner. But the petitioner has not appeared before the respondent police for enquiry and he is not co-operating with the investigation.

4. Such being the position, it is for the Investigating Officer to issue appropriate notice to the petitioner for enquiry and on such notice, the petitioner shall appear for enquiry and co-operate with the investigation. Without doing so, the police cannot repeatedly call the petitioner under the guise of enquiry.



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

**08.07.2022**

Speaking Order/Non-speaking Order

Index :Yes/No

Internet:Yes/No

nr/shk

To

- 1.The Deputy Superintendent of police  
EOW Wing, HQRS,  
Ashok Nagar,  
Chennai 600 083.
2. The Inspector of Police,  
EOW Wing, HQRS,  
Ashok Nagar,  
Chennai 600 083.
- 3.The Public Prosecutor,  
Madras High Court,  
Chennai.



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**N. SATHISH KUMAR,J.**

nr

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