



Crl.O.P.No.22517 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.22517 of 2022

S.Rajesh Kumar ... Petitioner

Vs.

The Additional Superintendent of Police,
Economic Offences Crime Branch,
Ashok Nagar, Chennai – 600083. ... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent to permit/allow the respondent to enquire/investigate the matter in the presence of petitioner's lawyer Shri.R.Ganesan, (Ms.16/1984) Phone: 9443998986 residing at No.22/108, Madthuritha Apartment, 16th cross street, Besant Nagar, Chennai – 600 090, or any other suitable impartial neutral person deemed fit and proper to be nominated by this Court during the enquiry in the interest of justice.

For Petitioner : Ms.S.Janani Rajalaxmi
For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)



Crl.O.P.No.22517 of 2022

ORDER

This Criminal Original Petition is filed to direct the respondent to permit/allow the respondent to enquire/investigate the matter in the presence of petitioner's lawyer Shri.R.Ganesan, (Ms.16/1984) Phone: 9443998986 residing at No.22/108, Madthuritha Apartment, 16th cross street, Besant Nagar, Chennai – 600 090, or any other suitable impartial neutral person deemed fit and proper to be nominated by this Court during the enquiry in the interest of justice.

2.The learned Government Advocate (Crl.Side) submitted that the petitioner is not an accused in Crime No.7 of 2022. This case was registered against M/s.Aarudhra Gold Trading Pvt Ltd., and others. The petitioner had taken the Directors of the Company to abroad, therefore, the petitioner's presence is required for enquiry. Only for the purpose of enquiry, the petitioner's presence was required. Though summons were sent on three occasions, petitioner had not appeared before the respondent for enquiry.

3.Considering the limited scope of the prayer involved in this case, the petitioner is permitted to have the service of a Lawyer, but the Lawyer shall not interfere during the course of interrogation of the petitioner. It is also made



Crl.O.P.No.22517 of 2022

clear that the Lawyer is not entitled to be present with the petitioner when the petitioner is enquired.

4. Accordingly, this Criminal Original Petition is disposed of.

19.12.2022

sli

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

To:

1. The Additional Superintendent of Police,
Economic Offences Crime Branch,
Ashok Nagar, Chennai – 600083.
2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.22517 of 2022

G.CHANDRASEKHARAN, J.
sli

Crl.O.P. No.22517 of 2022

19.12.2022