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Crl.O.P. No.23875 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P No.23875 of 2022

L.Suresh

... Petitioner

Vs.

1. State: rep. by its
Additional Director General of Police,
CBCID, Chennai.

2. The Superintendent of Police,
CBCID, Egmore, Chennai.

3. The Deputy Superintendent of Police,
CBCID, Salem, (Crime No.2/2015).

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the third respondent not to harass the petitioner under the guise of investigation of the case in Crime No.2 of 2015, pending on the file of the third respondent police.

For Petitioner : Mr.S.T.Raja
for Mr.K.Premkumar

For Respondents: Mr.S.Santhosh
Gov. Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to direct the third respondent not to harass the petitioner under the guise of investigation of the case in Crime No.2 of 2015, pending on the file of the third respondent police.

2. The learned counsel for the petitioner submitted that the petitioner has been working as Joint Director at the office of the Commissioner of Geology and Mines Department, Guindy, Chennai and he has been included in the case in Crime No.2/2015 by the respondent police and now, the petitioner has been granted Anticipatory Bail. He further submitted that, under the guise of enquiry, the respondent police asked the petitioner to participate in the enquiry for more than 70 times and he has also co-operated for enquiry. However, under the pretext of enquiry, the police is unnecessarily harassing the petitioners. Hence this petition.

3. The learned **Government Advocate (Crl.Side)** submitted that the case was registered in Crime No.2/2015 for the offences punishable under



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Section 120(B), 447 and 379IPC and Sections 21(1) read with 4(1) of Mines and Minerals (Development and Regulation) Act and since the enquiry requires voluminous documents and other particulars and the petitioner being the Joint Director and having particulars about the Mines and licences granted to them, he is necessary to attend the enquiry.

4. The learned counsel appearing for the petitioner submitted that, the petitioner is ready to co-operate for investigation, however only on summon, he is willing to appear for enquiry.

5. Recording the submission made by the learned counsel for the petitioner, the third respondent is directed to conduct enquiry and investigate the case in accordance with law and if required, issue summon to the petitioner and enquire him without any harassment.

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

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Internet: Yes./No

Index: Yes/no

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To

1. The Additional Director General of Police,
CBCID, Chennai.
2. The Superintendent of Police,
CBCID, Egmore, Chennai.
3. The Deputy Superintendent of Police,
CBCID, Salem.
4. The Public Prosecutor,
High Court of Madras.



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V.SIVAGNANAM, J.

mst

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