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Crl.O.P.No.25941 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Crl.O.P.No.25941 of 2022

Thangaraju

... Petitioner

Vs.

The State represented by its
Sub Inspector of Police,
District Crime Branch,
Tiruvannamalai Town and
District

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent police not to harass the petitioner in pursuance of their summons in Ref.C.No.369/DCB/TVM/20, dated 05.10.2022.

For Petitioner : Mr. P. Ayyachamy

For Respondent : Mr.S.Santhosh,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to direct the respondent police not to harass the petitioner in pursuance of their summons in



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Ref.C.No.369/DCB/TVM/20, dated 05.10.2022.

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2. The learned counsel appearing for the petitioner submitted that the petitioner acted as a broker for purchasing a JCB vehicle from one Ravindran, who is the husband of defacto complainant one Jayalakshmi and in respect of the said transaction, entire amount has already been settled. However, based on the complaint given by the defacto complainant, the respondent police is harassing the petitioner in the guise of enquiry.

3. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the complaint given by Jayalakshmi, wife of Ravindran has been received by the respondent police in Current Paper No.369/DCB/TVM/20 on 5.10.2022 and in pursuance of which, the respondent police sent summons to petitioner, but he did not appear for enquiry, therefore, the complaint is now pending for further investigation.

4. Recording the above said submission of the learned Govt. Advocate (crl.side), the respondent police is directed to conduct enquiry upon the complaint given by the defacto complainant in accordance with law without harassing the petitioner by following the principles laid down by the Hon'ble



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Apex Court in the cases of **D.K.Basu vs. State of West Bengal** [AIR (1997)

SC 610]; **Lalithakumari vs. State of U.P** [AIR 2014 SC 187] and

Arneshkumar vs. State of Bihar and another [2015-1-L.W. (Crl.) 318] with

regard to handling of complaint and registration of FIR and complete the enquiry within a period of three weeks from the date of receipt of a copy of this order.

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

27.10.2022

Internet:Yes/No

Index:Yes/No

msr

To

1.The Sub Inspector of Police,
District Crime Branch,
Tiruvannamalai Town and
District

2. The Public Prosecutor,
High Court of Madras.



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V.SIVAGNANAM,J.

msr

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