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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.14950 of 2023

Kalaiyappan @ Kumar Kaliappa

...Petitioner

-Vs-

The Inspector of Police
Central Crime Branch
EDF-1, Team II
Veppery, Chennai 07.

...Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the Respondent not to harass the Petitioner under the guise of enquiry on the basis of the complaint made by Harikumar.

For Petitioner : Mr.R.Radha Pandian

For respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed for a direction to the respondent not to harass the petitioner under the guise of



enquiry.

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2. The learned Additional Public Prosecutor on instructions submitted that the petitioner was called for an enquiry after issuing a notice under Section 41A of Cr.PC.

3. In the considered view of this Court, when a notice is issued under Section 41A of Cr.PC, the petitioner is bound to attend the enquiry. A petition for not to harass will not lie when the police have formally issued a notice under Section 41A of Cr.PC.

4. In the light of the above, this Criminal Original petition is dismissed.

05.07.2023

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Index : Yes/No

Internet : Yes/No



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N.ANAND VENKATESH, J.

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To
The Public Prosecutor,
High Court,
Madras.

Crl.O.P.No.14950 of 2023

05.07.2023