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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23182 of 2023

K.Kirubakaran

... Petitioner

Vs.

1. State Rep by,
The City Commissioner of Police,
Salem, Salem District.

2.The Inspector of Police,
B5 Kitchipalayam Police Station,
Salem District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the 2nd respondent police not to harass the petitioner based on the summons issued on 22.09.2023 on the basis of complaint given by one K.S.Raja.

For Petitioner : Mr.P.M.Jayachandran

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

The petitioner herein is before this Court alleging police is harassing.

2. On perusal of records, this Court finds that if the petitioner receives summons under Section 41(A), it is his duty to appear before the Investigating Officer and participate in the investigation, Without participating in the investigation, the petition alleging harassment cannot be filed, and the Court cannot entertain it. If the petitioner, on receipt of summons, appear before the investigating officer to co-operate with the investigation, there will be no necessity to harass him. Therefore, this Criminal Original Petition is dismissed.

12.10.2023

Index : Yes/No

Neutral Citation : Yes/No

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To

1. The City Commissioner of Police,
Salem, Salem District.
2. The Inspector of Police,
B5 Kitchipalayam Police Station,
Salem District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

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