



WEB COPY

Crl.OP No.24249 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-11-2023

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THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Crl. OP No.24249 of 2023

And

Crl.MP No.16891 of 2023

K.Sivasubramaniam

... Petitioner

Vs.

State Represented by:
The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.

... Respondent

Prayer: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the police notice dated 04.10.2023 Serial No.211/INSPR/D4/KR/2023 on the file of the first respondent-police and quash the same as illegal.

For Petitioner

: Mr.K.A.Mariappan



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For Respondent

: Mr.S.Udaya Kumar,
Government Advocate
(Criminal Side).

ORDER

The petitioner herein, who has been issued with a Police Notice dated 04.10.2023 by the respondent-police, calling upon the records relating to the respondent-Kuniyamuthur Police Station in connection with current paper enquiry dated 12.02.2023, is before this Court and to quash the same.

2. The learned counsel appearing on behalf of the petitioner states that notice is bereft of details and also it is in the nature of notice under Section 110 of the Code of Criminal Procedure, for calling upon the petitioner to execute a bond and the affidavit.

3. The learned Government Advocate (Criminal Side), appearing on behalf of the respondent, submits that the complaint has been received from one Ms.Selvi by the Commissioner of Police against this petition alleging cheating to the tune of Rs.87 lakhs under the guise of



selling the housing property.

4. In this connection, when the current paper was served to the Kuniyamuthur Police Station, impugned notice was issued and later realising that the value involved in the complaint is more than Rs.25 lakhs and the same is to be enquired into by the Central Crime Branch (CCB).

As per the Circular, the matter has been now referred to the Central Crime Branch, Coimbatore.

5. In view of the submissions made by the learned Government Advocate (Criminal Side), appearing on behalf of the respondent, it is clear that the impugned notice is not likely to be acted upon by the respondent-police dated 04.10.2023.

6. In the light of the above facts, nothing survives in this Criminal Original Petition. However, if any enquiry is to be conducted based on the complaint give by Ms.Selvi, it shall be done in accordance with law by the appropriate Authority.



7. With the above observations, the present Criminal Original

Petition stands dismissed.

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Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

Svn



To

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- 1.The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.
- 2.The Inspector of Police,
Central Crime Branch (CCB),
Coimbatore.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.



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DR.G.JAYACHANDRAN, J.

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