



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated : 30.10.2023

CORAM :

**THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN**

**Crl.O.P.No.24534 of 2023**

1.C.Sendhamarai

2.Chinnalagan

3.K.Sakthivel

... Petitioners

-VS-

1.The Superintendent of Police,  
Dharmapuri District,  
Dharmapuri -636 705.

2.The Inspector of Police,  
Town Police Station,  
Dharmapuri -636 701.

...Respondents

**PRAYER :** Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the 1<sup>st</sup> respondent not to harass the petitioners without following due process of law based on the multiple complaints.

For Petitioners : Ms.N.S.Rachel Catherine

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

**ORDER**

The petition is filed to direct the first respondent police not to harass.



2. The learned Government Advocate (CrI.Side), submits that case has been registered against the petitioners for cheating and other allied offences but when summon was issued, the petitioners were not co-operated for the enquiry and has sent representation. Since their presence is required to enquire the matter, they were called to appear before the Investigation Officer to produce the documents on 18.10.2023, but till date, the accused persons were not appeared before the Investigation Officer.

3. Learned counsel for the petitioners states that Civil Suit is pending and therefore, they need not appear before the Investigation Officer.

4. Heard. Records perused. If prima facie material is available in the complaint and the Investigation Officer is of the opinion that cognizable offence is made out, it is his responsibility and duty to summon the parties concerned and make enquiry and arrive at a just conclusion. Staying away from enquiry and without participating, by sending letter without documents cannot be reason to suspect or infer police harassing. Protection to defaulter under the guise of not to harass cannot be granted. Hence, this petition is dismissed.

**30.10.2023**

Index : Yes/No

Neutral Citation : Yes/No

rkp



To

- 1.The Superintendent of Police,  
Dharmapuri District,  
Dharmapuri -636 705.
- 2.The Inspector of Police,  
Town Police Station,  
Dharmapuri -636 701.
- 3.The Public Prosecutor,  
Madras High Court, Madras.



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**Dr.G.JAYACHANDRAN, J.**

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