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Crl.O.P.No.25454 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25454 of 2023

1.Satheesh
2.K.Sasirekha
3.Venkatachalapathy

... Petitioners

Vs.

1.The Superintendent of Police,
Namakkal SP Office,
Namakkal District-637003.

2.The Deputy Superintendent of Police,
Namakkal.

3.The Inspector of Police,
District Crime Branch Police Station,
Namakkal.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the 3rd respondent herein not to harass the petitioner in the name of unlawful enquiry in a civil dispute.

For Petitioners : Mr.R.C.Ramesh

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



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ORDER

A complaint lodged against the petitioner by Chellavel @ Chellappan for cheating is under investigation. The summons sent by the police has not been received by the petitioner herein and returned as refused.

2. In such circumstances, stating that civil dispute been given criminal colour, the present petition is filed seeking protection from police harassment in the name of unlawful enquiry.

3. The learned Government Advocate (Crl.Side) appearing for the State submits that if the petitioner respond to the notice and participate in the enquiry, it will be helpful for the respondent police to find out whether the allegations made in the complaint are true or not.

4. This Court finds no illegality in causing summons to participate in the enquiry based on the complaint. It is the duty of the 1st respondent to make enquiry about the complaint which apparently a cognizable offence. The petitioner cannot refuse to participate in the enquiry and termed the



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enquiry is unlawful. Hence this Criminal Original Petition is dismissed.

Consequently, the connected Criminal Miscellaneous Petitions are also dismissed.

07.11.2023

Index : Yes/No

Neutral Citation : Yes/No

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To

1.The Superintendent of Police,
Namakkal SP Office,
Namakkal District-637003.

2.The Deputy Superintendent of Police,
Namakkal.

3.The Inspector of Police,
District Crime Branch Police Station,
Namakkal.

4.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN, J.

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