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CrI.O.P.No.13588 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2024

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THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.13588 of 2024

1.Thaslim Ibra
2.Shaik Thanveer
3.Mohammed Ali

... Petitioners

Vs.

The State Rep.by
1.The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai-600 007.

2.The Assistant Commissioner of Police,
Central Crime Branch-I,
Chennai.

3.The Inspector of Police,
Team III, EDF II,
Central Crime Branch,
Chennai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the respondents not to harass the petitioners in the guise of investigation.

For Petitioners : Mr.R.C.Paul Kanagaraj



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

ORDER

On a complaint given by one Sanivarapu Venkatasiva Reddy, the respondent police has registered a case in Crime No.268 of 2023 for the offence under Sections 406, 420, 465, 467, 468, 471, 120B & 34 IPC. Several persons been named as suspected accused in the said case. It is a case of promise to arrange loan of Rs.100 Crores and collected Rs.2 Crores towards interest in advance. When the complainant has demanded the service of arranging loan, the suspected accused had given five demand drafts for Rs.100 Crores. On presentation, it is found that those demand drafts are forged and fake. The police has arrested one accused and others are absconding. The 1st petitioner herein is the erstwhile wife of the second suspected accused Mohammed Dawood Khan, the 2nd petitioner herein who is the brother of the 1st petitioner. The 3rd petitioner is the father of the 1st petitioner. The petitioners are before this Court alleging that the police are harassing them under the guise of investigation at odd hours. Hence seeks for protection from harassment.



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2. The learned counsel appearing for the petitioners would submit that the suspected accused Mohammed Dawood Khan had cheated many persons earlier and therefore, the 1st petitioner had severed the marital relationship and obtained divorce long back, hence she or her family members had nothing to do with the absconding 2nd accused.

3. Per contra, the learned Government Advocate (CrI.Side) appearing for the respondent police states that till date the police has not called these petitioners either for enquiry or suspect them as accused. Just to prevent the course of investigation, the present petition is filed making vile allegations.

4. This Court, after considering the gist of the case and the nature of the prayer sought in this petition, is not inclined to entertain it. Hence this Criminal Original Petition is dismissed. Since there is no material to show that these petitioners were harassed by the respondent police. At the same time, it is directed to the respondent police that, if at all they want to enquire the petitioners in connection with the case, they can do so on service of summons for their appearance and conduct the investigation in accordance with law.



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Index : Yes/No

Neutral Citation : Yes/No

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2.The Assistant Commissioner of Police,
Central Crime Branch-I,
Chennai.

3.The Inspector of Police,
Team III, EDF II,
Central Crime Branch,
Chennai.

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

Dr.G.JAYACHANDRAN,J.

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