



W.P.No.15737 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.15737 of 2024

S.R.Shanmugasundaram

... Petitioner

Vs.

1. The Director General of Police,
Office of the Director General of Police,
Radhakrishnan Salai,
Chennai - 600 009.
2. The Additional Director General of Police,
Law and Order,
Radhakrishnan Salai,
Chennai - 600 009.
3. The Inspector General of Police,
Office Inspector General of Police,
West Zone, Race Course Road,
Coimbatore.
4. The Deputy Inspector of Police,
Office of the Deputy Inspector General of Police,
Coimbatore Region,
Coimbatore.
5. The Superintendent of Police,
Office of the Superintendent of Police,
Tirupur.



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6. The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kangeyam, Chennimalai Road,
Tiruppur.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the respondents 1 to 5 to restrain the 6th respondent not to interfere with the civil dispute under the guise of enquiry in pursuance of the petitioner's representation dated 04.06.2024.

For Petitioner : Mr.M.Arumugam

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

ORDER

Alleging that the respondent police on a petition given by one Thangavel cause summon for appearance and on appearance, the respondent police trying to interfere in civil dispute and force the petitioner to part away money to Thangavel/complainant. In this regard, the complaint to higher officials sent on 03.06.2024, despite that the police is continuously harassing the petitioner.



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2. The learned counsel for the petitioner in support of the petition filed, stated that since the complainant is a practicing Advocate, the respondent wants to exceed their power and trying to extract money under the guise of criminal complaint which has no trapping of any crime.

3. The learned Government Advocate (Crl.Side) on instructions submits that on the complaint given by one Thangavel alleging misrepresentation and cheating, this petitioner was called for an enquiry under Section 41 A of Cr.P.C to appear on 27.05.2024. The petitioner appeared on that day and produced certain documents and gave an undertaking that he would appear again on 05.06.2024 and co-operate with the investigation. Instead of appearing on that day he had sent complaint to the higher officials and now had approached this Court. He further submits that if the petitioner cooperate with the investigation and produce documents to show that he purchased the property from the wife of the defacto complainant after paying the sale consideration, the police will close the complaint.

4. Recording the above statement, this writ petition is disposed of



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with direction to the respondent police to investigate the complaint in accordance with law and the guidelines of the Hon'ble Supreme Court and shall not exceed their power under the guise of investigation. No order as to costs.

19.06.2024

Vv

To

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2. The Additional Director General of Police,
Law and Order,
Radhakrishnan Salai,
Chennai - 600 009.
3. The Inspector General of Police,
Office Inspector General of Police,
West Zone, Race Course Road,
Coimbatore.
4. The Deputy Inspector of Police,
Office of the Deputy Inspector General of Police,
Coimbatore Region,
Coimbatore.
5. The Superintendent of Police,
Office of the Superintendent of Police,
Tirupur.
6. The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kangayam, Chennimalai Road,
Tiruppur.
7. The Public Prosecutor,



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High Court of Madras, Chennai.

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Dr.G. JAYACHANDRAN, J.

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