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CrI.OP.No.14135 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.OP.No.14135 of 2024

K.Shanmugam

... Petitioner

Vs.

The Senior Intelligence Officer,
DGGI Zonal Unit, Chennai
No.16, Tower-II, 5th Floor,
BSNL Building, Gream Road,
Chennai-600 006.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the respondent i.e., The Senior Intelligence Officer, DGGI Zonal Unit, Chennai, No.16, Tower-II, 5th Floor, BSNL Building, Gream Road, Chennai-600 006 not to harass the petitioner without any complaint or allegations against the petitioner and permit the petitioner to be accompanied with an Advocate or an Auditor on vicinity on the date of enquiry before the respondent.

For Petitioner : Mr.G.Saravanakumar

For Respondent : Mr.N.P.Kumar
Special Public Prosecutor for
DGGI, Chennai Zonal Unit

ORDER



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In continuation of the order passed by this Court on 02.07.2024 to get clarification whether in a departmental enquiry the petitioner is entitled to have assistance of the Advocate, the matter was posted today.

2. The reply filed by the department indicates that as far as enquiry conducted by departments like Income Tax, GST, assistance of Advocate is not required and not permitted. If the petitioner is not conversant with any other language except his mother tongue i.e., Tamil, necessary assistance will be provided and enquiry will be conducted by Officers who are conversant with Tamil. Further, the reply states that the interim stay granted by this Court for enquiry will have a ramification regarding limitation to proceed against the petitioner therefore seeks for order vacating the interim order.

3. This Court on considering the reply and the reasons finds that the petitioner shall appear before the respondent on **03.08.2024** at **10.30a.m.**, and participate in the enquiry. The respondent shall provide assistance to the petitioner herein for recording the statement to be given



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by the petitioner in Tamil.

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4. With this direction, Criminal Original Petition is disposed of.

31.07.2024

Vv

To

The Senior Intelligence Officer,
DGGI Zonal Unit, Chennai
No.16, Tower-II, 5th Floor,
BSNL Building, Gream Road,
Chennai-600 006.

Dr.G.JAYACHANDRAN,J.



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