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CrI.O.P.No.14250 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.14250 of 2024

Ravi Kiran Gurudath

... Petitioner

Vs.

The Inspector of Police,
Law and Order,
J-5, Shastri Nagar Police Station,
Besant Nagar, Chennai-600 090.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the respondent not to harass the petitioner under the guise of enquiry without any sufficient cause.

For Petitioner : Mr.S.R.Nageswara Rao

For Respondent : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)

For Complainant/ : Mr.D.Dayalan
Intervenor

ORDER

The petitioner herein apprehends harassment by the respondent police under the guise of enquiry on a complaint given by one Ms.Getcy Marcenain is before this Court seeking protection from harassment.

2. The learned Government Advocate (CrI.Side) appearing for



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the respondent police states that the complaint from Ms.Getcy Marcenain was received on 19.04.2024 and taken up for enquiry in C.S.R.No.273 of 2024. The petitioner was summoned for enquiry, he duly appeared on 25.05.2024 and given an undertaking that he will appear in future, if required. But, the defacto complainant did not turn up for enquiry to substantiate the contents found in the complaint. The complaint superficially appears to be a civil dispute regarding works contract. Since there is allegations of life threat, the respondent police wants to enquire both the party to ascertain whether the matter to be proceeded for any cognizable offence or not. Since the complainant so far not turned up, the respondent police is not able to proceed further.

3. The CD file produced by the learned Government Advocate (Crl.Side) perused, it indicates that the petitioner for not paying the balance money for the interior decoration work carried by the complainant. Further it is alleged that when he demanded money, accused and her husband had threatened him with dire consequence. The first part of the complaint though civil in nature, the second part has ingredients of crime. Since the complainant has not turned up for enquiry, there is no purpose in keeping the matter pending. If the complainant fail to turn up



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and does not provide information in connection with the complaint on or before 25.06.2024, the complaint shall be closed.

4. The learned counsel appearing on behalf of the defacto complainant states that she will cooperate with the enquiry by appearing personally before the respondent police on 25.06.2024.

5. Recording the submissions of the learned counsel for the defacto complainant, this Criminal Original Petition is disposed of as directed above.

20.06.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Inspector of Police,
Law and Order,
J-5, Shastri Nagar Police Station,
Besant Nagar, Chennai-600 090.

Dr.G.JAYACHANDRAN,J.

rpl

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



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