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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.15639 of 2024

P.Madhu

... Petitioner

Vs

1.Commissioner of Police
Avadi,
Type V, Qtr No.5/1 HVF Estate,
Bhaktavatsala Puram, Avadi,
Tamil Nadu, Chennai 600 054.

2. Inspector of Police,
(Law & Order), V-7, Nolambur Police Station,
Chennai 600 101.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to not to harass the petitioner on the said complaint of defacto complainant except due process of law herein.

For Petitioner : Mr.S.N.Kalaiselvan

For Respondents : Mr.K.M.D.Muhilan

Government Advocate (Crl.Side)



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ORDER

The petitioner herein, after getting protection order from the court in CrI.OP.No.10112 of 2024 that has to participate in the enquiry only only on receipt of summon under Section 41-A of Cr.P.C., had not appeared before the Investigation Officer despite issue of summon on 08.06.2024 for his appearance on 10.06.2024. Instead of that, he is before this court alleging that he went to the police station even prior to that and participated in the enquiry. But the Investigation Officer is prejudiced and he will not get any fair justice.

2. This court does not find any reason to entertain such averments since it is clear from the records that the police been instructed to conduct enquiry as per Section 41-A of Cr.P.C.,. When the summon was issued for appearance on 16.04.2024, the petitioner has failed to appear. In spite of that, he has sent a representation stating that he will appear on 19.06.2024 and produce all the documents. On 19.06.2024 also, the petitioner has not appeared.



WEB COPY 3. In the light of the above fact, this court is not inclined to entertain this petition. Hence, this Criminal Original Petition is dismissed.

03.07.2024

Index: Yes/No
Speaking /Non-speaking Order
gv

To

1. Commissioner of Police
Avadi,
Type V, Qtr No.5/1 HVF Estate,
Bhaktavatsala Puram, Avadi,
Tamil Nadu, Chennai 600 054.
2. Inspector of Police,
(Law & Order), V-7, Nolambur Police Station,
Chennai 600 101.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.



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gv

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