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CrI.O.P.No.19000 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2024

CORAM

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

CrI.O.P.No.19000 of 2024

1.Murugesan
2.Rathishkumar
3.Vijayakumar
4.Dhansekar

... Petitioners

Vs.

1.The State Rep.by
The Superintendent of Police,
The Superintendent of Police Office,
Coimbatore-641 018

2.The State Rep.by
The Inspector of Police,
R-3, Madhukarai Police Station,
Madhukarai-641 105.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to direct the 2nd respondent police not to harass the petitioner in the guise of enquiry on the file of the 2nd respondent police.

For Petitioners : Mr.S.Elankumaran

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



CrI.O.P.No.19000 of 2024

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ORDER

The petitioner herein alleging that the respondent police is harassing him unnecessarily demanding extraneous consideration to run his lodge, is before this Court.

2. The learned Government Advocate (CrI.Side) appearing for the respondent police submits that a case in Crime No.223 of 2023 for offence of Immoral Traffic Act been registered and this petitioner being the owner of the premises was summoned to appear for enquiry. The petitioner is absconding and has not appeared before the Investigating Officer for enquiry, instead he has filed this petition making false allegations.

3. The learned counsel appearing for the petitioner submits that a similar complaint was registered against this petitioner earlier and the same was quashed by incurious. The subsequent complaint is now been filed.

4. This Court is of the view that the quash of the earlier



CrI.O.P.No.19000 of 2024

complaint cannot be the shield to the petitioner to repeat the offence. If any FIR registered under the Immoral Traffic Act, the police needs cooperation of the building owner. It is the duty of the building owner to assist the investigation, instead he cannot abstain enquiry and seek protection.

5. Hence this Criminal Original Petition is dismissed. The petitioner shall appear before the Investigating Officer on receipt of notice and cooperate with the investigation.

08.08.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Superintendent of Police,
The Superintendent of Police Office,
Coimbatore-641 018

2.The Inspector of Police,
R-3, Madhukarai Police Station,
Madhukarai-641 105.

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

Dr.G.JAYACHANDRAN,J.

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