



WEB COPY



CrI.O.P.No.15830 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2024

CORAM

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

CrI.O.P.No.15830 of 2024

Ganesh Murthy

... Petitioner

Vs.

The Deputy Superintendent of Police,
Kangeyam, Chennimalai Road,
Tiruppur District,
Tiruppur.

... 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.

For Petitioner : Mr.M.Arumugam

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

ORDER

The petitioner herein apprehending arrest under the guise of police enquiry on the complaint given by one Thangavel is before this Court stating that the said Thangavel has borrowed money from the petitioner, when he demanded the money back, to evade repayment, he has given a false complaint.



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2. The learned Government Advocate (Crl.Side) appearing for the respondent police states that on the complaint given by Thangavel, the Deputy Superintendent of Police has summoned the petitioner herein under Section 41A of Cr.P.C., to appear for enquiry on 31.05.2024. On that day the petitioner appeared and given a letter stating that he will appear on 05.06.2024 for further enquiry, but thereafter he did not appear for enquiry as per the written undertaking.

3. This Court finds that apart from money transaction, the complaint indicates that the petitioner has threatened the complainant with dire consequence and therefore, the parties were called for enquiry. Having given a written undertaking that he will appear on 05.06.2024, instead of appearing before the Deputy Superintendent of Police, he has filed the present petition alleging that the 1st respondent is harassing him.

4. Heard the learned Government Advocate (Crl.Side). CD file perused. Complaint of cheating and threat is pending enquiry against the petitioner. Hence the 1st respondent is directed to enquire the matter in accordance with law and unless any cognizable offence is made out during the course of investigation, he shall not take any coercive steps.



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WEB COPY 5. With this observation, this Criminal Original Petition is disposed of .

05.07.2024

Index : Yes/No

Neutral Citation : Yes/No

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To

1.The Deputy Superintendent of Police,
Kangeyam, Chennimalai Road,
Tiruppur District,
Tiruppur.

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

Dr.G.JAYACHANDRAN,J.

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