



WEB COPY



Crl.O.P.No.17431 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2024

CORAM

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

Crl.O.P.No.17431 of 2024

Ekram

... Petitioner

Vs.

1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai-600 007.

2.The Inspector of Police,
Mylapore Police Station (Crime),
Chennai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the 2nd respondent herein not to harass the petitioner in any manner except by due process of law pursuant to representation dated 26.06.2024.

For Petitioner : Mr.Karthick

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

ORDER

The petitioner herein was summoned to appear before the respondent police to enquire about the complaint given by one



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Salaudeen. Instead of appearing before the respondent police as per summon, the petitioner is before this Court seeking direction for protection from the police harassment.

2. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the complaint received from one Salaudeen against this petitioner alleging that the petitioner has cheated to the tune of Rs.4.5 Crores under the guise of investing in the leather business. Therefore, the presence of the petitioner is required to enquire the complaint against the petitioner.

3. The learned counsel appearing for the petitioner submits that similar complaint was given by Salaudeen to CCB, Chennai and the same was closed as civil dispute. The said Salaudeen thereafter has filed application under Section 153(3) Cr.P.C., before the Special Court for CCB and the same is pending in Crl.M.P.No.5754 of 2024. While so, for the same set of facts, second complaint was given to the Mylapore Police Station, for which, he was called for enquiry.



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4. If the above submissions are true, the petitioner need not be feel shy to appear before the respondent police to place the documents before the Investigating Officer for consideration instead he has rushed to this Court invoking power under Section 482 Cr.P.C.,. Hence it is suffice to direct the petitioner herein to appear before the respondent police on 31.07.2024 and produce all the documents to substantiate his plea. If the complainant Salaudeen already resorted Section 156(3) Cr.P.C., and the same is pending, the present complaint before the respondent police need not be pursued. The Investigating Officer after perusing the documents shall proceed in accordance with law.

5. With the above observation, this Criminal Original Petition is disposed of.

24.07.2024

Index : Yes/No

Neutral Citation : Yes/No

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To

1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai-600 007.

