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Crl.O.P.No.17368 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.17368 of 2024

Manikandan

... Petitioner

Vs.

State Rep.by
The Sub-Inspector of Police,
Thiruvannainallur Police Station
Villupuram District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to the respondent not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.S.Saravanakumar

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

ORDER

The petitioner herein being aggrieved by the summons issued by the police under Section 180(3) of BNSS Act is before this Court alleging that the police is interfering in the civil dispute and harassing him and the complainant, therefore, seeks protection.



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2. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that one Paramasivam has given a complaint against this petitioner alleging that for the money due to him, the petitioner has given two cheques one for Rs.2 lakhs and another for Rs.3 lakhs. The cheque for Rs.2 lakhs honoured and another cheque for Rs.3 lakhs dishonoured . Therefore, action must be taken against him for issuing cheque for a sum of Rs.3 lakhs with intention to cheat.

3. The learned Government Advocate (Crl.Side) further submits that if the transaction between the complainant and the petitioner found to be purely civil in nature, the police will close the complaint in accordance with law. Further, the petitioner has not appeared for enquiry and therefore, the respondent police is not able to take decision on the complaint.

4. In view of the above submissions and the facts as narrated by the learned Government Advocate and the learned counsel for the petitioner, it is suffice to direct the petitioner to appear before the



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respondent police on 31.07.2024 and place the records to show how and why the cheque for Rs.3 lakhs was given to the complainant. If the matter is purely civil in nature arising out of civil contract, the respondent police shall dispose of the complaint 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

rpl

To

1.The Sub-Inspector of Police,
Thiruvannainallur Police Station
Villupuram District.

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



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Dr.G.JAYACHANDRAN,J.

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