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Crl.O.P. No.18315 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2024

CORAM :

THE HON'BLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P. No.18315 of 2024

S. Rajkumar

Petitioner

vs.

State represented by
the Inspector of Police
T-15, S.R.M.C. Police Station
Ayyappanthangal
Chennai

Respondent

Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita seeking a direction to the respondent police not
to harass the petitioner under the pretext of enquiry or whatsoever manner
in the nature of enquiry.

For petitioner
For respondent

Mr. K. Bommuraj
Mr. K.M.D. Muhilan
Govt. Advocate (Crl. Side)

ORDER

On 08.06.2024, one Kuthub Ali fell down from the scaffolding of a
construction site while carrying out painting work. After two days, he
succumbed to the injuries.



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2. The contractor who has engaged the deceased is before this Court seeking protection from police harassment, who, according to him, is calling him frequently under the guise of investigation and demanding money from him.

3. The learned Government Advocate (Criminal Side) submitted that since the accident has occurred in the construction site and the petitioner had engaged the deceased employee as a painter, the petitioner was called for enquiry and except that, there was no demand of money from the respondent police to settle the dispute, as alleged by the petitioner.

4. From the records, this Court finds that the accident has occurred in the construction site and two days later, the person engaged by the petitioner for painting work, has died. The matter cannot be given a criminal colour unless and until any negligence on the part of the petitioner is shown.

5. Therefore, the respondent police shall investigate the matter in accordance with law and the petitioner shall cooperate in the investigation and appear before the Investigating Officer on receipt of summons.



Otherwise, the petitioner need not be called by the respondent police frequently under the guise of enquiry.

With the above direction and observation, this criminal original petition stands disposed of.

02.08.2024

cad

To

- 1 The Inspector of Police
T-15, S.R.M.C. Police Station
Ayyappanthangal
Chennai
- 2 The Public Prosecutor
High Court
Madras



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DR. G. JAYACHANDRAN, J.

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