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CrI.O.P.No.19098 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2024

CORAM

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

CrI.O.P.No.19098 of 2024

D.Babu

... Petitioner

Vs.

1.State rep by
The Superintendent of Police,
Office of the District Superintendent,
Coimbatore District.

2.The Inspector of Police,
Law & Order,
Periyanaickenpalayam Police Station,
Coimbatore District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent herein not to harass the Petitioner under the guise of investigation.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)

ORDER

The petitioner herein was called by the respondent police to enquire the complaint given by one Karthikeyan alleging cheating of Rs.87 lakhs. The petitioner after sending notice to the police is before this Court seeking protection.



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2. The learned Government Advocate (CrI.Side) appearing for the respondent police states that since the complaint of cheating been received by the police, to conduct preliminary enquiry and find out the veracity of the complaint, the petitioner's appearance is required. Instead of participating in the enquiry, the petitioner is before this Court alleging harassment under the transaction civil in nature.

3. The police which has received the complaint alleging cheating is bound to test the veracity of the complaint. For the said purpose, participation of the petitioner in the enquiry is essential. Therefore, it is suffice to dispose of this Criminal Original Petition with direction that the petitioner shall appear before the Investigating Officer on receipt of summon and participate in the enquiry. The Investigating Officer shall proceed based on the material collected during the preliminary enquiry.

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Index : Yes/No
Neutral Citation : Yes/No
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To



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The Superintendent of Police,
Office of the District Superintendent,
Coimbatore District.

2.The Inspector of Police,
Law & Order,
Periyanaickenpalayam Police Station,
Coimbatore District.

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

Dr.G.JAYACHANDRAN,J.



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