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CrI.O.P.No.21337 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

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

CrI.O.P.No.21337 of 2024

Dhanapal

... Petitioner

Vs.

1.The Superintendent of Police,
Kallakurichi District, Kallakurichi.

2.The Sub Inspector of Police,
Elavansoor Kotai Police Station,
Kallakurichi District.

3.Krishnamoorthy

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C./ 528 BNSS, pleaded to direct the 2nd respondent police not to harass the petitioner under the guise of enquiry pursuant to the petitioner's representation dated 27.08.2024.

For Petitioner : Mr.Krishnasamy Chinnasamy

For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)

ORDER

Contract to construct a house for the 3rd respondent by the petitioner herein has ended in complaint by the 3rd respondent against the petitioner alleging cheating, use of filthy language and threat.



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2. The learned counsel appearing for the petitioner submits that it is purely a civil dispute arising out of contract between the petitioner and the 3rd respondent. However, it has been given a criminal colour and the complaint been registered in C.S.R.No.795 of 2024. Under the guise of investigating the complaint, the petitioner is subjected to harassment.

3. The learned Government Advocate (CrI.Side) appearing for the respondent police submits that on the petition given by the 3rd respondent, police has registered C.S.R.No.795 of 2024 and the petitioner was called for enquiry. The petitioner appeared on 26.08.2024 and took time to produce documents to show that there is no breach of contract or any criminal act committed by him. However, he has not turned up with the documents.

4. This Court, on hearing the counsels, disposed this Criminal Original Petition directing the 3rd respondent herein to appear before the Investigating Officer on receipt of summons and produce the documents to show that the money he received is purely under the contract and no criminality arise for the police to investigate. The respondent police on appearance of the petitioner shall enquire the matter in accordance with



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law and proceed.

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Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Superintendent of Police,
Kallakurichi District,
Kallakurichi.

2.The Sub Inspector of Police,
Elavansoor Kotai Police Station,
Kallakurichi District.

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

Dr.G.JAYACHANDRAN,J.



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