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CrI.O.P.No.24040 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

CORAM

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

CrI.O.P.No.24040 of 2024

P.Kanagaraj
Petitioner

...

Vs.

1.State rep by its
The Assistant Commissioner of Police,
T-6, Avadi Police station,
Avadi, Chennai.

2.The Inspector of Police,
T-6, Avadi Police station,
Avadi, Chennai.

3.Sekaran

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, pleaded to direct the 2nd Respondent, not to harass the Petitioner, in the guise of an enquiry, pursuant to the criminal complaint lodged by the 3rd Respondent herein, in Crime No. Not Known of 2024, on the file of the 2nd Respondent, the Inspector of Police, T-6, Avadi Police station, Avadi, Chennai.

For Petitioner : Mr.M.Vimal Bobby Crimson

For R1 & R2 : Mr.S.Udayakumar



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Government Advocate (Crl.Side)

ORDER

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This Criminal Original Petition is filed alleging that the police is harassing him in the guise of enquiry.

2. The learned counsel appearing for the petitioner states that one Sekaran, son of Velayutham and his father Pattabiraman were partners in the firm M/s.G.B.Engineering Enterprises Private Limited, Trichy and there is a money dispute between them.

3. Based on the complaint given to the Commissioner of Police, Avadi, the respondent police is calling this petitioner and harassing him, when there is no complaint against the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police states that on the petition forwarded from the office of the Commissioner of Police, Avadi, the 2nd respondent police called Pattabiraman, father of the petitioner, who is residing in Trichy. The said Pattabiraman who is 85 years old, told the Investigating Officer that his son will participate in the enquiry. Hence the petitioner was called for



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enquiry. For his father's assurance, the petitioner would have been called.

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5. This Court, on perusing the records, finds that primarily it appears that a civil dispute between the father of the petitioner and the complainant. Therefore, the respondent police is instructed to follow the circular of the Commissioner of Police dated 09.01.2024 and refrain from interfering the money dispute. To ascertain whether it is a money dispute or otherwise, the petitioner or his father may appear before the Investigating Officer and produce the documents regarding their transaction to enable the Investigating Officer to arrive at a logical conclusion on the complaint.

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

30.09.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Assistant Commissioner of Police,
T-6, Avadi Police station,
Avadi, Chennai.

2.The Inspector of Police,



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T-6, Avadi Police station,
Avadi, Chennai

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Dr.G.JAYACHANDRAN,J.

rpl

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

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