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Crl.O.P.No.26164 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.26164 of 2024

... Petitioners

1. S.P.Saminathan
2. Radha Saminathan

Vs.

1. The Assistant Commissioner of Police,
City Crime Branch II,
Coimbatore City,
Coimbatore District.

2. The Inspector of Police,
City Crime Branch Police Station,
Coimbatore.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents 1 and 2 not to harass the petitioners under the guise of enquiry pertaining to Cr.No.38 of 2023 pending on the file of the second respondent.

For Petitioners : Mr.E.Kotteeswaran

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioners under the guise of enquiry pertaining to the Crime No.38 of 2023 pending on the file of the second respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents and perused the materials available on record.

3. The learned counsel for the petitioners submitted that the second respondent registered a case in Crime No.38 of 2023 as against the petitioners and others for the offence under Sections 120B, 406, 420, 467, 468, 471 of IPC and under Sections 3 & 4 of TN Prohibition of Charging Exorbitant Interest Act. Subsequently the petitioners were granted anticipatory bail by the learned Principal District and Sessions Court, Coimbatore and thereafter they filed a relaxation petition and the



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same was also ordered on 05.01.2024. At this juncture, the second respondent police, without any reason, calling the petitioners frequently under the guise of enquiry. He further submitted that the petitioners are aged persons and though the investigation has been completed, the respondent police is unnecessarily disturbing the petitioners under the guise of enquiry. Hence he filed the present criminal original petition.

4. Learned Government Advocate (Criminal Side) appearing for the respondents submitted that case in Crime No.38 of 2023 was registered as against the petitioners and others for the offence under Sections 120B, 406, 420, 467, 468, 471 of IPC and under Sections 3 & 4 of TN Prohibition of Charging Exorbitant Interest Act. He further submitted due to non-cooperation of the petitioners, the respondents are unable to complete the investigation and the same is still pending. Hence he prayed for dismissal of the criminal original petition.

5. Considering the fact that a case in Crime No.38 of 2023 has been registered as against the petitioners and the investigation is pending



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and also considering the serious nature of offences and that the petitioners were already granted anticipatory bail, this Court is not inclined to grant the relief as sought for by the petitioners. However, the petitioners are directed to appear before the respondent police as and when required for investigation. The respondent police is also directed to complete the investigation and submit a report as early as possible.

6. With the abovesaid direction, The Criminal Original Petition is disposed of.

05.11.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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P.VELMURUGAN, J.

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