



Crl.O.P.(MD)No.10062 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.10062 of 2024

Paul Samuel Thomas

... Petitioner

versus

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.

3. P.Singappan

... Respondents

Petition filed under Section 438 of Criminal Procedure Code, to direct the 2nd respondent not to harass the petitioner under the guise of enquiry on the complaint made by the 3rd respondent.

For Petitioner : Mr.S.Murugapandi

For R1 and R2 : Mr.M.Sakthi Kumar,
Government Advocate (Crl. side)



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ORDER

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2. The learned Government Advocate (Crl. Side) submits that based on the complaint of the 3rd respondent before the Superintendent of Police, the respondent Police is conducting a current paper enquiry and they have also issued summon to the petitioner for his appearance for enquiry on 03.07.2024. However, the petitioner instead of appearing before the respondent Police, has filed this petition.

3. This Court perused the summon issued by the respondent Police. The summon has been issued without giving any reference about the provisions of law. In the absence of any reference in the summon about the provisions of law, under which it has been issued, this Court does not find any mistake on the part of the petitioner in not appearing before the respondent Police.



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4. It also appears that the 3rd respondent has lodged the complaint without giving any details about the business said to have been conducted by him with the petitioner, but, alleged that a sum of Rs.95 lakhs is payable by the petitioner. Based on this complaint which is bereft of materials, the respondent Police is conducting the petition enquiry.

5. Therefore, this Criminal Original Petition is allowed with a direction to the respondent Police not to harass the petitioner under the guise of enquiry.

08.07.2024

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.

To

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.



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B.PUGALENDHI, J.

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2. The Inspector of Police,
Perumalpuram Police Station,
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