



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2025

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THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL OP No. 20415 of 2025

and

CRL OP No. 20416 of 2025

1. R.Saravanan

S/o.Ravi, D.No.1/636,

RR Nagar Mukku Road, V

irudhunagar Taluk, Virudhunagar.

Petitioner(s)

Vs

1. The Tamil Nadu State rep.by,

The Commissioner of Police,

Chennai City, Vepery,

Chennai-600 007.

2.The Inspector of Police,

Chennai Central Crime Branch,

EDF-I Beta - 1 Police Station,

Chennai.

3.Nagaraj

S/o.Not known,

Harshavardhan Transport,

No.1/1A, New Jawaharlal Nehru 200

Feet Road,

Madhavaram, Chennai-600 060.



Respondent(s)

CRL OP No. 20416 of 2025

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1. G.Gurusamy @ Prabu
S/o.Guruvaiah,
D.No.17, 2nd Floor,
Selva Vinayagar Nagar,
Kodungaiyur,
Chennai-600 118.

Petitioner(s)

Vs

1. The Tamil Nadu State rep.by,
The Commissioner of Police,
Chennai City,
Vepery, Chennai-600 007.

2.The Inspector of Police,
Chennai Central Crime Branch,
EDF-I Beta - 1 Police Station, Chennai.

3.Nagaraj
S/o.Not known, Harshavardhan
Transport, No.1/1A, New Jawaharlal
Nehru 200 Feet Road, Madhavaram,
Chennai-600 060.

Respondent(s)

CRL OP No. 20415 of 2025

PRAYER

This Criminal Original Petition is filed under Section 528 of BNSS, to direct the
2nd respondent not to harass the petitioner under the guise of enquiry.



CRL OP No. 20416 of 2025

PRAYER

WEB C This Criminal Original Petition is filed under Section 528 of BNSS, to direct the 2nd respondent not to harass the petitioner under the guise of enquiry.

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For Petitioner(s): Mr.V.Arulraj

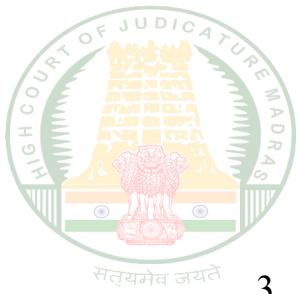
For For R1 and R2 Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

For R3 Mr.T.Nixon

COMMON ORDER

The Criminal Original Petitions have been filed to direct the 2nd respondent-Police not to harass the petitioners under the guise of enquiry.

2. Learned counsel for the de-facto complainant submitted that while the petitioners were working as employees under R3, they misappropriated the funds. Hence, he filed a complaint before the second respondent-Police. The second respondent-Police has sent summon to the petitioners herein. In order to escape from the clutches of law, the petitioners approached this Court by way of filing this petition seeking a direction not to harass them.



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3. Learned Government Advocate (Crl.Side) appearing for the second respondent-Police submitted that notices were sent to the petitioners directing them to produce relevant documents. The petitioners have also appeared before the respondent-Police for enquiry, whereas they did not produce any relevant documents. Hence, the enquiry is pending.

4. It is seen from the records, based on the complaint given by the third respondent, the second respondent-Police sent summons to the petitioners. Since there is specific allegation available as against the petitioners, the second respondent Police is directed to conduct enquiry and after completion of investigation, in case, finds *prima facie* materials, register a case as against the petitioners. The respondent-Police cannot wait endlessly for the petitioners' reply or response.

5. Once the complaint received from the public, it is the duty of the Police to conduct enquiry, if necessary, either to conduct preliminary enquiry or has to register a case. Whereas in this case, notices have already been sent to the petitioners and though the petitioners appeared before the respondent-Police,



they did not produce sufficient documents. Hence, the investigation is pending.

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6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court directs the respondent-Police to complete the enquiry and proceed the case further in accordance with law.

7. With the abovesaid directions, the criminal original petitions are dismissed.

21-07-2025

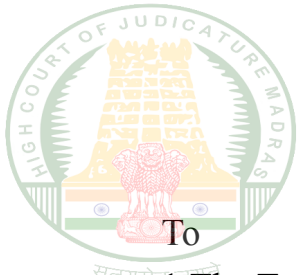
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Tamil Nadu State rep.by,
The Commissioner of Police, Chennai
City, Vepery, Chennai-600 007.

2. The Inspector of Police,
Chennai Central Crime Branch, EDF-I
Beta - 1 Police Station, Chennai.

3. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN J.

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