

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28027 of 2015

P.Loganathan

... Petitioner

Vs

1. The State represented by
The Inspector of Police,
T-10, Thirumullaivoyal
Police Station,
Thiurmullaivoyal,
Greater Chennai.
 2. The Assistant Commissioner of Police,
Avadi Range, Greater Chennai.
 3. The Deputy Commissioner of Police,
Ambattur Range,
Ambttur, Chennai - 600 054
 4. The Joint Commissioner of Police,
Ambattur Estate,
Greater Chennai.
- Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.
to direct the respondents not to harass the petitioner under the
guise of enquiry.

For Petitioner : Mr.K.Udayakumar

For respondents : Mr.C.Emalias,
Addl.Public Prosecutor

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O R D E R

The present petition has been filed to direct the
respondents not to harass the petitioners under the guise of
enquiry.

2. The petitioner is running a real estate business. The
petitioner obtained a loan of Rs.3 lakhs during 2012 from one
Lalitha and his son Sreekumar to develop his business. When he
obtained loan, the said Lalitha got 10 promissory notes and

blank cheques from the petitioner. They also demanded 10% interest on the said loan amount and later, they demanded interest of Rs.30,000/- which is exorbitant. The petitioner was threatened and compelled to pay the interest of Rs.30,000/-. Thereafter, the petitioner wound up his business and worked in M/s.Casio Forge Products, as a worker in a canteen. In this situation, Lalitha and her son preferred a complaint with the first respondent. The Sub-Inspector of Police called the petitioner through phone and asked him to appear on 5.10.2015 around 8.00 p.m. When the petitioner went there, he was illegally detained by the police on 05.10.2015. The petitioner was threatened by the Sub-Inspector of Police in front of Lalitha and her son. Further, on 05.11.2015, the Sub-Inspector of Police contacted the petitioner and threatened him to pay a sum of Rs.5,30,000/-. Hence, the petitioner preferred a complaint with the 3rd respondent alleging demand of exorbitant interest. In spite of the same, the respondent police is calling the petitioner and harassing him. Hence, the present petition.

3. Learned Additional Public Prosecutor submitted that the allegation of the petitioner is not correct. The petitioner was called for only for the purpose of enquiry and in order to avoid the enquiry, the present petition has been filed.

4. Considering the submissions made by the learned counsel for the petitioner and the learned Additional Public Prosecutor, this Court is constrained to pass the following order:-

(i) The petitioner is directed to co-operate with the enquiry.

(ii) The 1st respondent police is directed to conduct the enquiry in accordance with law, without harassing the petitioner.

5. The criminal original petition is disposed of accordingly.

सत्यमेव जयते

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Sd/-
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Inspector of Police,
T-10, Thirumullaivoyal Police Station,
Thiurmullaivoyal,
Greater Chennai.
 2. The Assistant Commissioner of Police,
Avadi Range, Greater Chennai.
 3. The Deputy Commissioner of Police,
Ambattur Range,
Ambttur, Chennai - 600 054
 4. The Joint Commissioner of Police,
Ambattur Estate,
Greater Chennai.
 5. The Public Prosecutor,
High Court, Madras.
- + 1 cc to Mr. K.Udayakumar, Advocate Sr.62841

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AK(CO)
EU 10.12.15

सत्यमेव जयते

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