

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28634 of 2015

S.Suresh

... Petitioner

Vs

Inspector of Police,
E.3 Teynampet Police Station,
Chennai - 600 018

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police not to harass the petitioner in the guise of an enquiry without following due process of law.

For Petitioner : Mr.M.C.Govindan

For respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the respondent police not to harass the petitioner in the guise of an enquiry, without following due process of law.

2. The case of the petitioner is that he was an employee of one Elango, who is carrying on Real Estate Business in the name and style of Abi Real Estate at Teynampet, Chennai. As the petitioner has not continued his employment with the said Elango, he has lodged a false complaint as against the petitioner stating that the petitioner has not repaid a sum of Rs.20,00,000/-. But the petitioner only borrowed a sum of Rs.50,000/- from the said Elango. Based on the said complaint, the respondent police is harassing the petitioner under the guise of enquiry. Hence the present Criminal Original Petition has been filed.

4. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that one Elango has lodged a complaint against the petitioner and the same is pending for enquiry before the respondent police. The

counsel for the petitioner submitted that the respondent police is harassing the petitioner based on the said complaint. But the said statement is denied by the learned Additional Public Prosecutor and only in order to avoid the enquiry, the petitioner has filed the present petition.

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

(i) The petitioner is directed to cooperate with the enquiry.

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

6. The criminal original petition is ordered accordingly.

Sd/
ASSISTANT REGISTRAR (CS-IV)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

vrc

To

1. Inspector of Police,
E.3 Teynampet Police Station,
Chennai - 600 018

2. The Public Prosecutor,
High Court, Madras.

+1 CC to MR.M.C.Govindan Advocate. SR.NO.64583

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CO-TM

JD 29/12/2015