

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.30017 of 2015

1. D.Chelladurai
2. Latha Chelladurai

... Petitioners

Vs

State rep. by
Inspector of Police,
Kannagi Nagar Police Station,
Kancheepuram District.
[Crime No. not known of 2015]

... Respondent

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the respondents not to harass the petitioners.

For Petitioners: Mr.M.Madhan Kumar

For respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed
to direct the respondents not to harass the petitioner.

2. The case of the petitioners is that the petitioners are the absolute owners of the property bearing No.36, Bharathi Nagar, II Street, Semmancherry, Chennai - 600 119. They have leased out a portion in the ground floor to one Padmavathy for a period of two years. Thereafter, as per the request of the said Padmavathy, the lease period was extended for further period of two years. The said Padmavathy has not paid the electricity consumption charges for one year. At the request of the said Padmavathy, the electricity consumption charges was adjusted against the lease amount, at the time of handing over the premises. Now the said Padmavathy has lodged a complaint as against the petitioners stating that the petitioners have not paid the lease amount in full. The respondent police is harassing the petitioner under the guise of enquiry in the complaint lodged by the said Padmavathy. Hence the petitioner has come forward with the present Criminal Original Petition.

3. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that one Padmavathy has lodged a complaint against the petitioner in respect of the dispute between the landlord and tenant. 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.

4. 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 respondents are directed to conduct the enquiry in accordance with law, without harassing the petitioner.

5. The criminal original petition is ordered accordingly.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vrc
To

1. The Inspector of Police,
Kannagi Nagar Police Station,
Kancheepuram District.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s. M. Madhan Kumar, Advocate Sr.69345

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RSI (CO)
Eu 8.1.16