

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T. MATHIVANAN

CrI.O.P.No.6602 of 2016

V. Nagaraj

... Petitioner

Versus

1. The Deputy Superintendent of Police,
Omalur,
Salem District.

2. The Inspector of Police,
Omalur Police Station,
Omalur, Salem District

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the respondents not to harass the petitioner in crime No. not known of 2016 on the file of respondents.

For Petitioner : Mr. G.Muthukumar

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

O R D E R

This petition is filed by the petitioner Mr.V.Nagaraj seeking a direction to the 2nd respondent Inspector of Police attached to Omalur Police station not to harass him.

2. According to the petitioner, he had borrowed a sum of Rs.2,50,000/- from one C.R.Harshinee as a debt to meet out his family expenses and in witnessing thereof, he had also executed a demand promissory note and apart from this, he had also handed over 10 blank cheques, each for the value of Rs.25,000/- bearing cheque Nos.230150 to 230159, agreeing to pay the above said amount with interest at the rate of 3% per annum. Subsequently, he had stated that the said Harshinee had also initiated legal proceedings by way of sending notice to him informing that she is going to take action under Section 138 of Negotiable Instruments Act. Under such circumstances, on 16.3.2016, the Police Officer from the 2nd respondent Police

Station came to the house of petitioner and compelled him to pay this amount and also trying to foist a criminal case against him. Under the circumstances, the petitioner has filed the present petition.

3. However, learned Additional Public Prosecutor has stated that he has to ascertain as to whether any such complaint is filed in the Police Station or not.

4. It is obvious to note that without receipt of any such complaint in the Police Station, the petitioner shall not be harassed by the respondent police.

5. In view of the above facts, the respondents are directed not to harass the petitioner unless there is a complaint against him making a prima facie case to register a case against him.

6. With the above observation, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Omalur,
Salem District.
2. The Inspector of Police,
Omalur Police Station,
Omalur, Salem District.
3. The Public Prosecutor,
High Court, Madras.

WEB COPY

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gj(CO)
srg(13/04/2016)