

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2017

CORAM

THE HONOURABLE MR. **JUSTICE R.MAHADEVAN**

Crl.O.P.No.7363 of 2017

Vinoth

Prop. M/s.Medicare Pharmacy

... Petitioner

Vs

The Inspector of Police (Crimes)

Valasarawakkam Police Station

Valasarawakkam,

Chennai – 600 087.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents not to harass the petitioner without any valid reasons and without issuing any summons for enquiry.

For Petitioner : Mr.K.A.Mariappan

For Respondent : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent not to harass the petitioner without any valid reasons and without issuing any summons for enquiry.

2. The case of the petitioner is that he is running a pharmaceutical shop. He engaged the services of the defacto complainant for the purpose of auditing the accounts of the said shop. During the course of auditing, the defacto complainant misused the cheques given by the petitioner, however, he lodged a complaint before the respondent with regard to return of cheques issued by the petitioner. Based on the said complaint, the respondent is frequently calling the petitioner and harassing him to settle the debts covered under those instruments. Hence, this Criminal Original Petition.

3. Learned counsel for the petitioner submitted that the complaint lodged by the defacto complainant is not maintainable, as the remedy available to him is to approach the Court concerned for appropriate remedy. Learned counsel further submitted that based on the said complaint, the respondent called the petitioner and harassed him for settling the dues.

4. On the other hand, learned Additional Public Prosecutor submitted that there was no harassment by the respondent police as alleged by the petitioner. He further submitted that the petitioner is required for completion of enquiry.

5. Considering the facts and circumstances of the case and also taking note of the submissions made on either side, this Court, in order to give quietus to the issue involved, directs the petitioner to appear before the respondent police on 21.06.2017, on which date, necessary enquiry be conducted. It is made clear that the respondent police shall not harass the petitioner under the guise of enquiry.

6. This criminal original petition is disposed of accordingly.

13.06.2017

Index:Yes/No
rk

NOTE: ISSUE ON 19.06.2017

To

1.The Inspector of Police (Crimes)
Valasarawakkam Police Station
Valasarawakkam,
Chennai – 600 087.

2.The Public Prosecutor, High Court, Madras.

R.MAHADEVAN, J.

rk

Crl.O.P.No.7363 of 2017

DATED: 13.06.2017