

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.1653 of 2020

VGP Babudas

.. Petitioner

-vs-

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai.

2. The Assistant Commissioner of Police,
Central Crime Branch,
EDF-I Team-II
Vepery, Chennai.

.. Respondents

Prayer: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioner in the blanket of enquiry in C.No.6763/CCB/COP-V/19 C.No.978/DC CCB-II/PE/19 on the file of second respondent police.

For Petitioner : Mr.L.Infant Dinesh

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

In the last hearing i.e. on 28.01.2020, when this petition came up for hearing, Mr.C.Prabakaran, Advocate has submitted that he wants to file party implead petition but so far he has not filed any party implead petition. Further, he has not appeared before this Court today.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. This petition has been filed to direct the respondents not to harass the petitioner under the guise of enquiry in C.No.6763/CCB/COP-V/19 C.No.978/DC CCB-II/PE/19 on the file of the second respondent.

4. The learned counsel for the petitioner has submitted that the petitioner herein has lodged a complaint against one Krishna Rao as he has cheated the petitioner and based on the same an FIR has been registered in Cr.No.504 of 2019 against the said Krishna Rao under Section 420 of IPC. He further submitted that when the said FIR is pending for investigation, the said Krishna Rao has lodged a false complaint against the petitioner and based on the same the second respondent has issued C.No.6763/CCB/COP-V/19 C.No.978/DC CCB-II/PE/19. He further submitted that FIR is already pending against the said Krishna Rao and no progress has been made but the second respondent is harassing the petitioner by calling for enquiry in the complaint lodged by the said Krishna Rao.

5. Per contra, the learned Additional Public Prosecutor has submitted that one Krishna Rao has lodged a complaint against the petitioner and based on C.No.6763/CCB/COP-V/19 C.No.978/DC CCB-II/PE/19 was issued and only for enquiry purpose, the petitioner is called for and not subjected to any harassment.

6. Considering the aforesaid submissions, if any complaint is received against the petitioner, the second respondent has to conduct enquiry and thereafter, if the enquiry reveals that any cognizable offence is made out against the petitioner, he has to register a case and proceed further in accordance with law and instead of that he should not unnecessarily harass the petitioner.

7. With the aforesaid directions, this petition is disposed of.

सत्यमेव जयते Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

drl

To

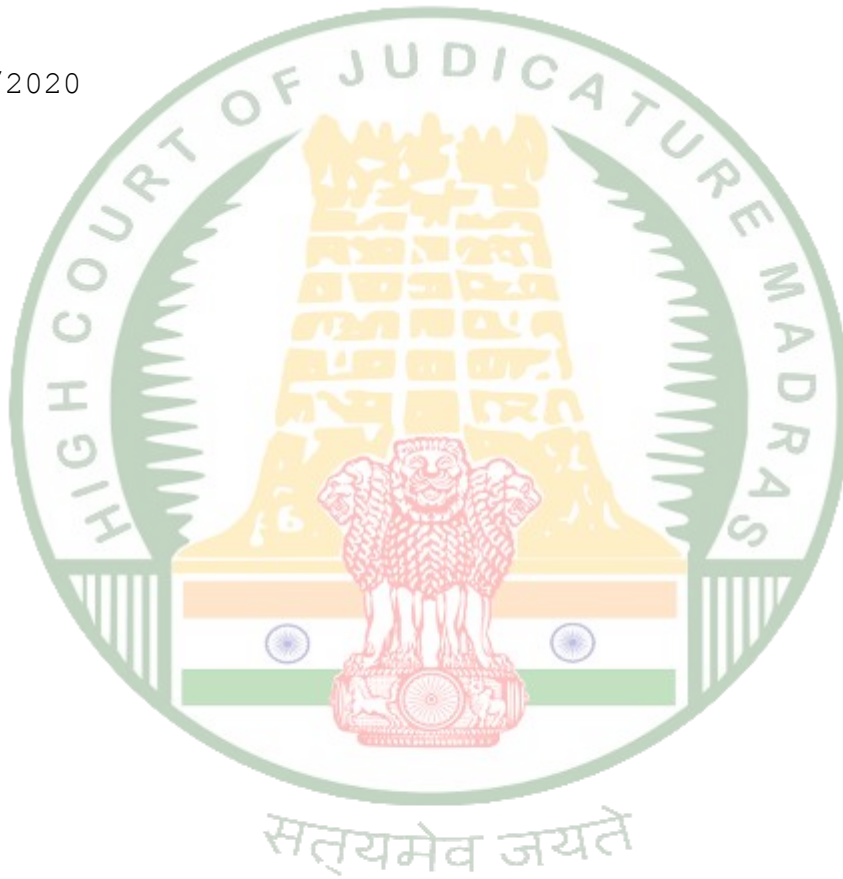
1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai.

2. The Assistant Commissioner of Police,
Central Crime Branch,
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Vepery, Chennai.

3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.1653 of 2020

RSK(CO)
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