

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.OP.No.2258 of 2020

D.Sivapradap

.. Petitioner

-VS-

1. The Commissioner of Police,
O/o.The Commissioner of Police,
Periyar Thidal (Opp),
Vepery, Chennai-600 007.
2. The Inspector of Police,
K-9, Thiru-Vi-Ka Nagar Police Station,
Chennai- 600 082. .. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioner and his family members.

For Petitioner : Mr.R.Arun Kumar

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

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner and his family members.

2. The learned counsel for the petitioner has submitted that the petitioner has borrowed a loan of Rs.1,50,000/- from HDFC Bank and he has paid a portion of the amount and the balance amount yet to be paid is nearly Rs.1,00,000/-. He further submitted that at the instance of the said bank, the second respondent is compelling the petitioner to repay the loan amount to the said bank and therefore, he prayed to direct the respondents not to harass the petitioner.

3. Per contra, the learned Additional Public Prosecutor has submitted that since the petitioner did not repay the loan amount, the concerned bank gave a complaint against the petitioner and only for enquiry purpose in the said complaint the petitioner was called and he was not subjected to any harassment and therefore, he prayed to dismiss this petition.

4. If the complaint discloses any cognizable offence, the second respondent has to register a case. In case, the said complaint does not disclose any cognizable offence, the second respondent can conduct preliminary enquiry with the complainant and if the said enquiry reveals any cognizable offence, she can register a case and proceed further in accordance with law. Instead of that he should not unnecessarily harass the petitioner.

5. With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Vv

To

1. The Commissioner of Police,
O/o.The Commissioner of Police,
Periyar Thidal (Opp),
Vepery, Chennai-600 007.
2. The Inspector of Police,
K-9, Thiru-Vi-Ka Nagar Police Station,
Chennai- 600 082.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Arun Kumar, Advocate, S.R.No. 8269

CRL.O.P.No.2258 of 2020

RSV(CO)
GN(25/06/2020)

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