

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.2625 of 2020

Muthu Irulappan

.. Petitioner

-vs-

1. The Superintendent of Police,
Thiruvallur District, Thiruvallur.

2. The Assistant Superintendent of Police,
Thiruvallur District.

3. The Inspector of Police,
E-3, Minjur Police Station, Chennai.

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second and third respondents Not to Harass the petitioner and her family members based on the complaint dated 18.01.2020.

For Petitioner : Mr.N.Naresh

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed to direct the second and third respondents not to harass the petitioner and her family members.

2. The learned counsel for the petitioner has submitted that the petitioner is doing business of buying and selling old cars. He further submitted that one Ranjith Singh approached the petitioner and entrusted eight cars with the petitioner for selling. He further submitted that the petitioner gave a sum of Rs.30,00,000/- (Rupees Thirty Lakhs only) as advance for purchasing the said cars. He further submitted that already the said Ranjith Singh lodged a complaint and based on the same, an FIR in Crime No. 571 of 2019 was registered on the file of the third respondent on 07.10.2019 under Sections 147, 148, 294 (b), 323, 324, 384, 506 (ii) of IPC and 3 (1)(x) of SC/ST (Prevention of Atrocities) act 1989. He further submitted that the petitioner herein was arrested in the said case and remanded to judicial custody and subsequently, he was released on bail. He further submitted that thereafter an FIR has been registered

against the petitioner and the third respondent calling the petitioner under the guise of enquiry and therefore he requests to direct the respondents not to harass the petitioner.

3. Per contra, the learned Additional Public Prosecutor has submitted that on the previous occasion one Alexander has lodged a complaint against the petitioner and based on the same, FIR in Crime No.571 of 2019 was registered and the petitioner was arrested and released on bail in that case. He further submitted that subsequently one Ranjith Singh has lodged a complaint on 16.10.2019 and only in that complaint for enquiry purpose, the petitioner was called and he was not subjected to any harassment.

4. Admittedly, in Crime No. 571 of 2019 the petitioner was arrested and subsequently released on bail. Therefore, subsequently, if any complaint is received against the petitioner, the third respondent can conduct a preliminary enquiry with the said complainant and if the said enquiry reveals any cognizable offence, he 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(C.S.VIII)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thiruvallur District, Thiruvallur.
2. The Assistant Superintendent of Police,
Thiruvallur District.
3. The Inspector of Police,
E-3, Minjur Police Station, Chennai.
4. The Public Prosecutor, High Court, Madras.

+1 cc to M/s.N.Naresh,Advocate Sr.No. 9725

AKM/19.03.2020/2P- 6C /

CRL.O.P.No.2625 of 2020