

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2020

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CrI.OP.No.4061 of 2020

M.Rakul

... Petitioner

Vs.

The State By:

Inspector of Police,  
S8 Adambakkam Police Station,  
Adambakkam, Chennai.

.... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to direct the respondent police to not to harass the petitioner except under due process of law.

For Petitioner : Mr.P.Chandrasekar

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

ORDER

This Criminal Original Petition has been filed to direct the respondent police not to harass the petitioner.

2. The learned counsel for the petitioner has submitted that the respondent has registered an FIR in Cr.No.619 of 2019 under Sections 406, 420 and 409 of IPC against the petitioner's mother Rajammal and one Subramaniam (jewel appraiser) alleging that said Rajammal had pledged spurious jewels in the bank. He further submitted that the petitioner is in no way connected with the said transaction but the respondent is unnecessarily harassing the petitioner.

3. The learned Additional Public Prosecutor has submitted that in the body of the FIR, it is stated that the petitioner's mother Rajammal and one Subramaniam (jewel appraiser) were involved in this case, but in column no.7, the name of the accused persons not mentioned and hence he requests to grant time for getting instructions as to whether this petitioner also involved in this case.

4. A perusal of the said FIR shows that the bank manager has lodged a complaint alleging that one Rajammal (petitioner's mother) has pledged spurious jewels with the help of one Subramaniam (jewel appraiser) and obtained loan

and thereby cheated the bank. Though in the body of the FIR, it is specifically stated that the accused persons namely Rajammal and Subramaniam are involved in the aforesaid crime but, in column no.7, Station House Officer did not mention the name of the accused persons.

5. As per the aforesaid FIR, the petitioner has not committed any offence and in such a case, the respondent should not have harassed the petitioner. If the investigation reveals that the petitioner herein also involved in the aforesaid crime, he can proceed against him in accordance with law. In stead of that, he should not unnecessarily harass the petitioner.

6. With the aforesaid directions, this criminal original petition is disposed of.

Sd/-  
Assistant Registrar(CS )

//True copy//

Sub Assistant Registrar

drl

To

1.The Inspector of Police,  
S8 Adambakkam Police Station,  
Adambakkam, Chennai.

2. The Public Prosecutor,  
High Court, Madras.

+2cc to Mr.P.Chandrasekar, Advocate SR.No.17558

Cr1.O.P.No.4061 of 2020

VSN II(CO)  
GMY(10/06/2020)

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