

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.12700 of 2021

Mr.Karthik

... Petitioner

Vs.

1.The Assistant Commissioner of Police,  
Thiruvottiyur Range,  
Thiruvottiyur.

2.The Inspector of Police (Crime),  
Thiruvottiyur Police Station,  
Thiruvottiyur.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, Writ of Mandamus, directing the respondents to not to harass the petitioner and his relatives under the guise of enquiry.

For Petitioner : M/s. Anil Relwani

For Respondents: Mr.A.Damodaran  
Government Advocate (Crl. Side)

O R D E R

This Writ Petition has been filed to direct the respondents not to harass the petitioner and his relatives under the guise of enquiry.

2.The petitioner had sent a representation through post on 13.06.2021 to the Assistant Commissioner of Police/first respondent. From his representation, it is seen that the petitioner is working as Assistant Engineer at NCC Limited at Chennai. At that time he met one Muthukrishnan, who is running a bulk messages company under the name and style of M/s.Net Tech Global Solution in the year 2018. The said Muthukrishnan promised the petitioner that if the petitioner advanced the loan to him, he would be given at the rate of 19% interest. Believing the same, the petitioner had paid Rs.27,25,000/- to the said Muthukrishnan and he was regularly receiving the interest upto March, 2020. Thereafter, due to pandemic situation he has not received the payment of interest. In the meanwhile, three of the petitioner's colleagues viz., Ramachandran, Shiyam Prasad and Sankarkumar, who came to know that the petitioner is earning extra income

and they had enquired the petitioner about the same and the petitioner had informed them that he has invested his money with one Muthukrishnan, who is running bulk messages company and he is paying higher rate of interest for the money lent to him. Thereafter, the said Ramachandran, Shiyam Prasad and Sankarkumar had lent their money on their own and not through the petitioner. The said Muthukrishnan had stopped paying interest money to the said colleagues. Hence, they have lodged a complaint with the second respondent against the said Muthukrishnan and the petitioner herein.

3. During the course of enquiry, the petitioner has been called for enquiry on various occasions and the petitioner has given a detailed explanation about the entire transaction. The second respondent police harassed the petitioner to settle the money lent by the said Ramachandran, Shiyam Prasad and Sankarkumar. The petitioner is an innocent and he has no way connected with the transaction held between his colleagues and the said Muthukrishnan.

4. The learned Government Advocate (Crl. Side) appearing for the respondents submitted that on 02.06.2021, a complaint from Ramachandran was received by the second respondent and CSR.No.269 of 2021 was assigned and the petitioner has been called for enquiry. The petitioner has not attended the enquiry and he had sent a representation to the first respondent and approached this Court.

5. The petitioner now on instruction submits that he is ready to appear before the second respondent and give his explanation and he submitted that he is now staying at Patna and it will take some more time to reach Chennai.

6. In view of the same, the petitioner is directed to appear before the second respondent on 20.07.2021, for enquiry. On his appearance, the second respondent is directed to conclude the enquiry as early as possible. The respondent police is also directed not to harass the petitioner's relatives, more particularly, his wife and his children, who have nothing to do with the petitioner's business activities.

7. With the above directions, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

To

1.The Assistant Commissioner of Police,  
Thiruvottiyur Range,  
Thiruvottiyur.

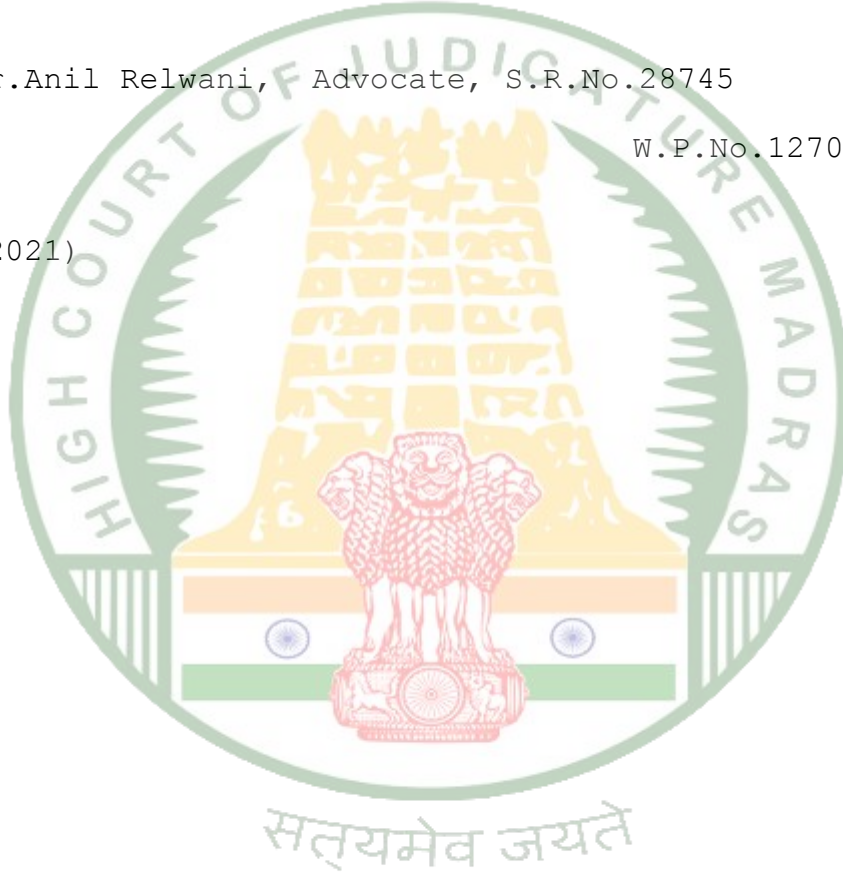
2.The Inspector of Police (Crime),  
Thiruvottiyur Police Station,  
Thiruvottiyur.

3.The Public Prosecutor,  
High Court,  
Madras.

+1cc to Mr.Anil Relwani, Advocate, S.R.No.28745

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GPL (CO)  
GN(05/07/2021)



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