



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.13453 of 2021

K.Ganapathy
S/o, Kuppusamy

... Petitioner

Versus

The State rep by

1. The Commissioner of Police,
Vepery,
Chennai.
2. The Assistant Commissioner of Police,
Ambattur, Chennai.
3. The Inspector of Police,
Thiruverkadu Police Station,
Chennai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent not to harass the petitioner in any manner except by due process of law pursuant to the representation dated 24.07.2021 and 26.07.2021.

For Petitioner : Mr.C.V.Kumar
for M/s.S.J.Sasikala

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

ORDER

This Criminal Original Petition has been filed to direct the respondent not to harass the petitioner in any manner except by due process of law pursuant to the representation dated 24.07.2021 and 26.07.2021.

2. The learned counsel for the petitioner submit that he sent representations dated 24.07.2021 and 26.07.2021 to the Deputy Commissioner of Police, Assistant Commissioner of Police,



Ambattur stating that his wife Hemalatha had passed away on 08.06.2021. Thereafter three ladies had come to his house and seek to demand and return of their chit amount which they subscribed to his wife. Further he submitted that the petitioner is the Auto driver and his wife independently conducted the chit and he is not aware of the same. The respondent police under the guise of enquiry unnecessarily harrasing the petitioner. Further the respondent police are forcing the petitioner to settle the chit amount of his wife.

3. The learned Government Advocate (Criminal Side) appearing for the respondents submit that one Abarna has lodged a complaint stating that she is residing in the neighbourhood of the petitioner's wife Hemalatha and the said Hemalatha is regularly conducting monthly chits and to the petitioner so far she had paid 18 months chit amount and she is the subscriber of Rs.2 lakhs chit and so far from December 2018 to May 2019, she had paid Rs.1,42,700/- and thereafter likewise for Rs.1.5 lakhs chit, she had paid Rs.35,910/- and for one chit, Rs.36,600/-. The petitioner herein was actively participated in conducting chits and he used to make note of the subscribers who had paid the chit amount and also during auctioning of the chit, he was very much participated in the same along with his wife Hemalatha. It is a family business. Now the petitioner taking advantage of the demise of his wife, swindle entire amount. So far nearly seven complaints received by the respondent police. During the enquiry though the petitioner agreed to settle the chit amount, now he filed this petition. Copy of the complaint, copy of the chit book written by the petitioner are produced. Further watsapp messages acknowledging the receipt of the chit amount also produced.

4. In view of the same, the contention of the petitioner that he is being harassed by the respondent police cannot be accepted. The petitioner has to appear for enquiry before respondent police as and when required.

5. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

mfa



To

1. The Commissioner of Police,
Vepery,
Chennai.
2. The Assistant Commissioner of Police,
Ambattur, Chennai.
3. The Inspector of Police,
Thiruverkadu Police Station,
Chennai.
4. The Public Prosecutor,
High Court,
Madras.

+1cc to M/s.S.J.Sasikala, Advocate, S.R.No.37971

CRL.O.P.No.13453 of 2021

SMI (CO)
CT(24/08/2021)