



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.15130 of 2021

- 1.S.Vijaya Lakshmi
- 2.S.Nithya
- 3.S.Sangeetha
- 4.S.Jagadeesh

... Petitioners

Vs.

1. The State Rep by:
The Commissioner of Police,
Greater Chennai City Police,
Commissioner Office Building,
Vepery, Chennai-600 007.
2. The Inspector of Police,
T-1 Ambattur Police Station,
Chennai-600 05.

... Respondents

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, directing the 2nd respondent and his men not to harass the petitioners in the pertain to the complaint made by the Mrs.Lurthasagarani with suitable direction as prescribed by this Court.

For Petitioner : Mr.M.Silambarasan

For Respondents : Mr.A.Damodaran
Government Advocate [Cr1. Side]

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent Police not to harass the petitioners in the guise of enquiry on the complaint made by one Lurthasagarani.

2.The learned counsel for the petitioners submitted that the petitioners in obedience to the summons issued by the 2nd respondent Police, dated 23.01.2021, appeared for enquiry on the complaint given by the said Lurthasagarani. During enquiry, they



gave explanation before the 2nd respondent Police. Despite the same, they were continuously harassed by the 2nd respondent Police to settle the dispute with Lurthasagarani. Hence, he prayed for direction not to harass the petitioners.

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3. The learned Government Advocate (Crl. Side) appearing on behalf of the respondents submitted that the 1st petitioner's husband is a Police personnel. All the petitioners joined together, received money for a sum of Rs.48,00,000/- from Lurthasagarani. Despite several reminders, the petitioners failed to repay the amount. During enquiry, the petitioners agreed to settle the dues, on the contrary, they have filed the above petition. Hence, the petitioners are required to attend enquiry, which is being conducted by the 2nd respondent Police.

4. Admittedly, the 1st petitioner's husband is the friend of Lurthasagarani's husband. Due to the relationship, Lurthasagarani had made payment to the 1st petitioner's husband for immediate brain surgery for him. When the amount was asked to repay, the petitioners in a deceitful manner had given reply that they have no contacts and no relationship with Lurthasagarani.

5. In view of the specific complaint made against the petitioners and earlier the petitioners appeared for enquiry, the issuance of notice by the 2nd respondent Police to the petitioners for further enquiry cannot be termed as harassment. Hence, this Court directs the petitioners to appear before the 2nd respondent Police for enquiry on 07.09.2021 and give explanation. The 2nd respondent Police is directed to conduct further enquiry and decide about the future course of action.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Greater Chennai City Police,
Commissioner Office Building,
Vepery, Chennai-600 007.



2. The Inspector of Police,
T-1 Ambattur Police Station,
Chennai-600 05.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Vishnu, Advocate, S.R.No.44958

Crl.O.P.No.15130 of 2021

KV(CO)
CT/06/09/2021