



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.15761 OF 2021

S.Mohamed Yusoof

... Petitioner

Versus

1. The Commissioner of Police,
Office of the Commissioner of Police,
Veperry,
Chennai - 600 008.
2. The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
St. Thomas Mount,
Chennai - 600 089.
3. The Inspector of Police(Crime),
Pallavaram Police Station,
Pallavaram,
Chennai.
4. Ganesha Pandian
5. S.Kaliraj

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd to 5th respondents not to harass the petitioners and his family members by demanding money and consequently directing the 1st and 2nd respondents to consider the petitioner's representation dated 04.08.2021 in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner : M/s.P.Syed Abdul Mashood.

For Respondent : Mr.A.Damodaran
For R1 - R3
Government Advocate (Crl.Side)



ORDER

The petitioner, who is running a shop for Mobile recharge and Money transfer on commission basis, seeks not to harass on the complaint of Mr. Ganesha Pandian/4th respondent.

2. The contention of the petitioner is that the 4th respondent/Ganesha Pandian's son had made some recharges for playing "Fire Fighting" an on-line game with high stakes, for which, the petitioner gained very small amount of commission. But, the respondents 4 and 5 had lodged a complaint against the petitioner. Based on the same, the respondent police are harassing the petitioner and his family members under the guise of enquiry. Hence, the present petition.

3. The learned Government Advocate (Crl. side) appearing for the respondents 1 to 3 would submit that on verification, the Ganesha Pandian, de-facto complainant found that his son has taken a sum of Rs.2,75,000/- without anybodies knowledge and used the same for playing the on-line game on the inducement of the petitioner. Hence, he has lodged a complaint, in which, CSR No.593/2021 assigned on 18.06.2021 and the petitioner was called for enquiry. During enquiry, the petitioner agreed that it is not proper for him to recharge such huge amount without ascertaining from the boy about the source of money and hence, he promised to return 50% of the said amount. He would further submit that the petitioner has also lodged a complaint to the Deputy Commissioner of Police, St. Thomas Mount, Chennai, which has been forwarded to the 3rd respondent in Current Paper, in which, enquiry is pending.

4. Considering the submissions and from the perusal of the materials, this Court finds that calling the petitioner for enquiry would not amount to harassment and this petition is liable to be dismissed.

5. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mrp



To

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NR(CO)
PBS/29/09/2021