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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.16270 OF 2021

Deepak Kumar Gothi

...Petitioner

Versus

State Rep.by

1. Deputy Commissioner of Police,
Anna Nagar Range,
Anna Nagar, Chennai - 600 040.

2. Inspector of Police
V-4, Rajamangalam Police Station
(Crime), Chennai - 600 049.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to not to harass the petitioner.

For Petitioner : Mr.C.Mohan Raj

For Respondents : Mr.A.Damodaran
Government Advocate (Cr1. Side)

ORDER

This criminal original petition has been filed to direct the respondent not to harass the petitioner.

2.The learned counsel for the petitioner submits that the petitioner had money transactions with Chiranjeevalu Raju during the year 2016-2017, for which, the petitioner had issued a cheque and the Cheque has not been deposited. In the meanwhile, there has been exchange of notice. According to the petitioner, substantial amount of principle has been repaid and the complainant, in this case, is demanding exorbitant interest. Hence, there was some dispute.



3.The learned Additional Public Prosecutor (Crl.side) submits that on the complaint of Chiranjeevalu Raju, the petitioner called for enquiry. The complainant had paid a sum of Rs.5,00,000/- to the petitioner and the petitioner failed to return the same. Further, submits that there has been exchange of notice between the petitioner and the complainant. From the notice, it is seen that the transaction is of the year 2016-2017 and the notice issued on 23.05.2020 and reply sent on 10.06.2020.

4.Thereafter, on what basis, the complaint has been entertained is not known without any material. Since already exchange of notice, this Court feels that calling the petitioner for enquiry by the respondent police would amount to harassment. It is for the petitioner as well as the said Chiranjeevalu Raju to approach the appropriate Court seeking remedy and not to the respondent police.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

sms

To

1. The Deputy Commissioner of Police,
Anna Nagar Range,
Anna Nagar, Chennai - 600 040.
2. The Inspector of Police
V-4, Rajamangalam Police Station
(Crime), Chennai - 600 049.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Ravi, Advocate, S.R.No.46426

Cr1.0.P.No.16270 of 2021

SV-I(CO)
RLP(01/10/2021)