



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.17293 of 2021

S.Gopinath

... Petitioner

Versus

The State rep. by

1.The Superintendent of Police,
Chengalpattu District.

2.The Inspector of Police,
Madurantakam Police Station,
Chengalpattu District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C. to direct the second respondent herein to not to harass the petitioner in the guise of enquiry on the basis of the petitioner representation dated 08.09.2021 made to the first respondent herein.

For Petitioner : Mr.G.Magesh Kumar

For Respondents: Mr.R.Vinoth Raja
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed to direct the second respondent not to harass the petitioner in the guise of enquiry on the basis of the petitioner representation dated 08.09.2021 made to the first respondent herein.

2.The learned counsel appearing for the petitioner submits that the respondent police entering into a civil dispute and harassing the petitioner. On 28.07.2021, the complainant in



WEB COPY
this case viz., Vasantha had lodged a complaint before the second respondent alleging that the petitioner had borrowed a sum of Rs.85,000/-, in turn, the second respondent enquired the petitioner and extracted an undertaking from the petitioner. He also denies about the execution of the undertaking letter. For which he had sent a representation to the first respondent police. The petitioner is unable to make his day-to-day survival. Under such circumstances the above complaint has been lodged.

3.The learned Government Advocate [Cr1. Side] submits that the complainant in this case is a senior citizen and she had lodged a complaint against the petitioner stating that the petitioner had borrowed a sum of Rs.85,000/- from her.

4.Considering the submissions and on perusal of the records, it is seen that the complainant is a senior citizen, taking advantage of the old age she is making such allegations against the petitioner. In view of the same, this Court is directed the respondent police to proceed with the case. The respondent police is also directed to consider that the complainant is a senior citizen and if cognizable offence is made out against the complainant, they shall take action under the Senior Citizen Act.

5.With the above observation, this Criminal Original Petition stands disposed of. The petitioner is having all right to legally defend his case.

Sd/-
Assistant Registrar (CS-V)

// True Copy //

Sub Assistant Registrar

ah

To

1.The Superintendent of Police,
Chengalpattu District.



2.The Inspector of Police,
Madurantakam Police Station,
Chengalpattu District.

3.The Public Prosecutor,
High Court,
Madras.

CRL.O.P.No.17293 of 2021

NRL(CO)
B.VC (26/10/2021)