



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.21030 of 2021

R.Vignesh

... Petitioner

Versus

The State

Rep by Inspector of Police (L & O)
J-8, Neelankarai Police Station,
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent not to harass the petitioner based on the complaint given by the said Ragupathy.

For Petitioner : Mr.B.Velvzhi

For Respondent :Mr.E.Raj Thilak
Government Advocate(crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the respondent not to harass the petitioner based on the complaint given by the said Ragupathy.

2. The learned counsel appearing for the petitioner submitted that one Raghupathy has lodged a complaint to the respondent police against the petitioner stating that the petitioner borrowed a sum of Rs.3,00,000/- from the said Raghupathy, but failed to repay the same. He further submitted that though the petitioner had borrowed a sum of Rs.3,00,000/- from the de-facto complainant as loan, he repaid a sum of Rs.4,00,000/- i.e., morethan what has been received and therefore the petitioner need not pay any amount to the de-facto complainant, despite the same, the respondent police are harassing the petitioner under the guise of enquiry.



3. The learned Additional Public Prosecutor submitted that the de-facto complainant is none other than the maternal uncle of the petitioner and the petitioner during the pandemic situation was in short of funds and hence he requested his maternal uncle for loan to start his own business and a sum of Rs.3,00,000/- was received by the petitioner from one Siva, who is the son-in-law of the petitioner, which according to the petitioner has been repaid but the de-facto complainant had denied the receipt of the loan amount. He further submitted that since the matter pertains to money dispute among family members, the petitioner and the de-facto complainant were called for enquiry to resolve the dispute, but the petitioner has made exaggerated complaint to the Commissioner of Police and Human Rights commission alleging harassment at the hands of the respondent police. He further submitted that the petitioner is not required for enquiry.

4. Admittedly the dispute pertains to money transaction among family members and as the learned Additional Public Prosecutor on instructions had categorically stated that the petitioner is not required for enquiry, nothing survives for adjudication in this Criminal Original Petition.

5. In view of the same, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

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To:

1. The Inspector of Police (L & O)
J-8, Neelankarai Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.E.D.Sethupathi, Advocate SR.No.63141

CRL.O.P.No.21030 of 2021

PL(CO)
CB(15/12/2021)