



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.722 of 2022

L.K.Sridhar

... Petitioner

Versus

1.State by

The Assistant Commissioner of Police,
Turaipakkam Range,
Turaipakkam,
Chennai - 97.

2.State by

The Inspector of Police,
J-9, Turaipakkam Police Station,
Chennai - 97.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent not to harass the petitioner in the name of enquiry in view of the above said circumstances.

For Petitioner : Mr.S.Shankar

For Respondents : Mr.R.Vinothraja
Government Advocate [Crl. Side]

O R D E R

This Criminal Original Petition is filed to direct the respondent not to harass the petitioner in the name of enquiry in view of the above said circumstances.

2.The contention of the petitioner is that the petitioner is a senior citizen and he is being unnecessarily harassed by the respondent police on the complaint of one Nandagopal. The said Nandagopal is the person authorised by the petitioner's mother in law viz., Mrs.Navaneetham, settled in Malaysia. The complaint is that during February, 2012, she came to India from Malaysia, at that time the petitioner, who was residing in Ayyavu Naidu Colony, Arumbakkam Chennai, sought financial help from his mother-in-law, to evict the encroachers in the land. For which, she gave her property at Perungudi for mortgage. During the month of May 2012, the petitioner informed the said Navaneetham that she is to execute a Power of Attorney in favour of the petitioner and she did so.



Thereafter by using the said Power of Attorney, the petitioner borrowed a sum of Rs.2 crores by mortgaging the property. Later there arose some dispute between them and there was exchange of legal notice in this regard. Now the respondent police is interfering in the civil dispute between the petitioner and his mother-in-law and harassing the petitioner. Hence he filed the present petition.

3.The learned Government Advocate submits that the petitioner was called for enquiry, who appeared twice, gave his explanation. Further he promised to come later with contemporary documents in support of his contention. On the contrary, he filed the above petition.

4.Considering the submissions and on perusal of the materials, this Court finds that the dispute is between the mother-in-law and son-in-law and not with the said Nandagopal. In view of the same, the respondent police is directed to conduct enquiry and if cognizable offence is made out, the respondent police is directed to register the FIR and proceed with the case, otherwise, not to disturb the petitioner, considering his age.

5.With the above directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

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To

1.The Assistant Commissioner of Police,
Turaipakkam Range,
Turaipakkam,
Chennai - 97.

2.The Inspector of Police,
J-9, Turaipakkam Police Station,
Chennai - 97.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Shankar, Advocate SR.No.2561

CRL.O.P.No.722 of 2022

PA (CO)
GM (03/02/2022)