



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4231 of 2022

WEB COPY

1. Bargath Nisha
2. S.M.Jinnah
3. Sheik Syed
4. Aasora Begam

... Petitioners

Vs

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Cuddalore District,
Cuddalore - 607 001.
2. The Inspector of Police,
O/o. The Inspector of Police,
Virudachalam Police Station,
Virudachalam Taluk,
Cuddalore District.
3. Akbar Sheriff
4. Shahjahan
5. H.Noor

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 and 2, not to harass the petitioners and their family members on the complaint of the respondents 2 to 5.

For Petitioners : Mr.R.Gopinath

For Respondents : Mr.V.Meganathan,
Government Advocate (crl.side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondents 1 and 2 to not to harass the petitioners and their family members on the complaint of the respondents 2 to 5.

2. It is the case of the petitioner that the first petitioner's husband one Rahamadulla was in the business of buying and selling rice products under the name and style of MSR Rice Mandi. In the course of his business, the first petitioner's husband used to procure rice products from the agents in the market and sell the same to individuals as well as



wholesale and retail merchants. While so, the first petitioner's husband Rahamadulla committed suicide on 16.12.2021. After his demise, the first petitioner came to know that her husband had committed suicide due to the threatening of the rowdy elements viz., respondents 3 to 5 in the locality, who lend money for exorbitant interest and had claimed more amount from the first petitioner's husband. After the demises of her husband, the respondents 3 to 5 had started to threaten the first petitioner and her relatives. The first petitioner had given a complaint dated 12.01.2022 before the second respondent. The Second respondent instead of enquiring the respondents 3 to 5, had threatened the petitioners to settle the amount to respondents 3 to 5 and continuously harassing the petitioners in the guise of enquiry. Thereby, the present petition has been filed.

3. Mr.V.Meganathan, learned Government Advocate (crl.side) would submit that on the complaint given by the first petitioner, enquiry was conducted in C.S.R.No.76 of 2022 and the same has been closed. He would further submit that on the complaint given by the 3rd petitioner, enquiry was conducted in C.S.R.No.91 of 2022 and the same is pending on the file of the second respondent. He would submit that the second respondent is not harassing the petitioners.

4. Taking into consideration the submissions made by the learned counsel, this Court is of the opinion that the second respondent cannot be allowed to enquire the case in CSR No.91 of 2022. In view of the above, CSR No.91 of 2022 pending on the file of second respondent is transferred to the Additional Superintendent of Police, Virudhachalalam. The Additional Superintendent of Police, Virudhachalalam shall conduct enquiry in CSR No.91 of 2022 pending on the file of the 2nd Respondent and dispose of the same in accordance with law.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

shk/sai



To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Cuddalore District,
Cuddalore - 607 001.
2. The Inspector of Police,
O/o. The Inspector of Police,
Virudachalam Police Station,
Virudachalam Taluk,
Cuddalore District.
3. The Public Prosecutor,
Madras High Court,
Madras.
4. The Additional Superintendent of Police,
Virudachalam.

+1cc to Mr.R.Gopinath, Advocate, S.R.No.12403

Cr1.O.P.No.4231 of 2022

NRL (CO)
KM(08/03/2022)