



Crl.O.P.No.23573 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 28.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.23573 of 2022

1. Praveen
2. Thennarasi
3. Vishalatchi

... Petitioners

Vs.

1. The Commissioner of Police,
Office of Commissioner of Police,
132, EVK Sampath Road,
Vepery, Chennai, Tamilnadu 600 007.
2. The Deputy Commissioner of Police,
Mylapore, Chennai.
Tamil Nadu 600 004.
3. The Assistant Commissioner of Police,
Royapettah, Chennai, Tamilnadu 600 014.
4. The Inspector of Police,
E-2, Royapettah police Station,
Royapettah, Chennai,
Tamilnadu 600 014.

... Respondents.

Prayer: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, 1973 to direct the fourth respondent not to harass the petitioners in connection with Crime No.130 of 2022 pending on the file of E2, Royapettah Police Station.



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For petitioner : Mr.T.S.Lavanesh
For respondent : Mr.S.Santhosh,
Government Advocate (Crl.Side)

ORDER

This Criminal Original petition has been filed seeking direction to the fourth respondent not to harass the petitioners in connection with Crime No.130 of 2022 pending on the file of the fourth respondent.

2. The learned Counsel appearing for the petitioners submitted that the second petitioner and one Kothandam/ de-facto complainant had jointly run a business of " Gold Coin Scheme" and subsequently, the second petitioner Thennarasi was instructed by Kothandam to introduce " Gold Jewel and Ornaments Scheme", so that she could earn more money and believing his words, she agreed to do the same. In that business, dispute arose between them, resulting which the de-facto complainant gave a complaint against the second petitioner and her family members, and the same was registered in Crime No.130/2022 for the offence under Section 406 IPC on 11.05.2022. He further submitted that after registration of the case, the petitioners were arrested and



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released on bail by the XVIII Metropolitan Magistrate, Saidapet, Chennai-15. However, with the help of police, the de-facto complainant demanded the petitioners to repay a sum of Rs.17,00,000/- and the respondent police harassing the petitioners under the guise of investigation. The action of the respondent police is in violation of the Articles 19 and 21 of the Constitution of India. Hence, he filed this petition.

4. The learned Government Advocate (Crl.Side) submitted that the petitioners are the accused in Crime No.130/2022 for the offence under Section 406 IPC and the case is under investigation and the petitioners were released on bail.

4. Recording the submission made by the learned Govt. Advocate (Crl.Side), the fourth respondent is directed to investigate the case in Crime No.130/2022 and take action in accordance with law, without harassing the petitioner.



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

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Index: Yes/No
Internet: Yes/No
mst

To

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3. The Assistant Commissioner of Police,
Royapettah, Chennai, Tamilnadu 600 014.
4. The Inspector of Police,
E-2, Royapettah police Station,
Royapettah, Chennai, Tamilnadu 600 014.
5. The Public Prosecutor,
Madras High Court.



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V.SIVAGNANAM, J.

mst

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