



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.25566 of 2021

V.Rathinam

...Petitioner

Versus

1. The Commissioner of Police
Vepery
Chennai.

2. The Inspector of Police
Police Station
Avadi, Chennai.

3. Usha

4. S.Bharathi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to not to harass the petitioner.

For Petitioner : Mr.K.Thenrajan

For Respondents: Mr.Raj Thilak for R1 & R2

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the second respondent not to harass the petitioner.

2. The grievance of the petitioner is that money transaction has been given a criminal colour, since the third respondent happened to be an Advocate and the fourth respondent claiming to be a letter pad Law Association, using the same, the petitioner is being harassed. He further submitted that, earlier to the complaint, the third respondent had caused the legal notice through one Mr.N.Senthilkumar and R.Girija on 24.11.2021. In the said notice, it is mentioned that the petitioner had taken a loan and repaid the amount in three cheques which got dishonoured under Section 138 of Negotiable Instruments Act. The petitioner sent a detailed reply notice on 01.12.2021 stating his defence. Thereafter, using the influence of the fourth respondent, a false complaint is lodged with the second



respondent.

3. The learned Additional Public Prosecutor submitted that on the complaint of the third respondent, CSR.No.1598 of 2021 has been assigned, and the petitioner was called for enquiry on 25.12.2021. Prior to it, the petitioner had sent a reply on 07.12.2021 informing that he shall appear for enquiry. On the contrary, he had filed the above application. Thereafter, a second notice was issued on 15.12.2021 for his appearance on 22.12.2021. Now, the petitioner terms the enquiry as harassment. Unless the petitioner appears and gives his explanation with requisite documents, the respondent Police would not be in a position to accept the contention of the petitioner and take appropriate action on the complaint of the third respondent.

4. The learned counsel for the petitioner on instructions, submits that the petitioner will appear before the respondent Police on 10.01.2022 along with necessary documents.

5. The second respondent Police thereafter to continue the enquiry and take appropriate action within a period of two weeks.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

dna

Sub Assistant Registrar

To

1.The Commissioner of Police
Vepery
Chennai.

2.The Inspector of Police
Police Station
Avadi, Chennai.

3.The Public Prosecutor
High Court, Madras.

+1cc to M/s.V.Karan, Advocate, S.R.No 1863

[28/04/2022]

Cr1.O.P.No.25566 of 2021

RR(CO)
KKV/07/01/2022