



WEB COPY



Crl.O.P.No.29840 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 22.06.2023

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.29840 of 2022

N.K.Kanna

... Petitioner

Versus

The Inspector of Police,
Chengalpattu Town Police Station,
Chengalpattu,
Kancheepuram District.

... Respondent

PRAYER : Criminal Original petition filed under Section 482 Cr.P.C.
praying to direct the respondent police not to harass this petitioner and his
family members under the guise of enquiry/investigation.

For Petitioner : Mr.M.Selvam

For Respondent : Mr.A.Gokulakrishnan

Additional Public Prosecutor

ORDER

This petition has been filed by the petitioner seeking a direction to
the respondent police to not to harass the petitioner and his family members
under the guise of enquiry.



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2. The averment in the petition is that the petitioner got acquainted with one Mohammed Badrudeen Sherif, who claimed that his relative one Ayyath Bai is working at the office of Commissioner of Central Excise, Anna Salai, Chennai and informed that the said Ayyath Bai would get jobs in Central and State Government Departments. The petitioner believing the words of the said Ayyath Bai and Mohammed Badrudeen Sherif, got job application from 19 persons, obtained a sum of Rs.5,00,000/- from them and handed over the same to Badrudeen Sherif. The petitioner trusted the words of the said Badrudeen Sherif. Thereafter, the said Badrudeen Sherif was unable to get the job and gave an undertaking to repay the amount of Rs.5,00,000/- on or before 22.06.2016. However, he has not repaid the money as promised. This being so, one Thiruvilankumar, Advocate, Sivanandam, Jeyaprakash and Parthasarathy approached the petitioner and informed that they will get back the money from Badrudeen Sherif. These four persons also cheated the petitioner and misappropriated a sum of Rs.5,00,000/-.

Thereafter, the petitioner approached the Inspector of Police, Vepery to take



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appropriate action against the accused persons. The Inspector of Police, Vepery called the petitioner to appear for an enquiry on 17.11.2017 and again on 30.12.2017. The petitioner appeared before the police and produced all the documents in his favour and gave his explanation. In the meantime, the petitioner filed a civil suit in O.S.No.254 of 2019, which is pending before the District Munsif Court, Chengalpattu.

3. In the meanwhile, one Babu gave a complaint to the respondent police and the petitioner was again called for enquiry. The petitioner has also filed Crl.O.P.No.16926 of 2021 before this Court and this Court gave a direction to the Inspector of Police, Chengalpattu Taluk to dispose of the complaint against the petitioner without delay and not to cause any harassment to the petitioner. Despite the same, the petitioner has been harassed by calling for enquiry at times frequently. The petitioner sent a representation on 08.11.2022 to the respondent police for the harassment caused, but there was no response. Hence, the above petition.



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4. Learned Additional Public Prosecutor submits that in this case the petitioner had collected Rs.10,00,000/- from various persons for getting job and he was unable to provide them job as promised. The petitioner returned back Rs.8,00,000/- for the remaining Rs.2,00,000/-, the persons who lost money have lodged the complaint. For that purpose the petitioner was called for enquiry. Now those complainants are also not appearing. The petitioner is not required for enquiry for the present. As and when any further complaint is received, prior notice would be issued to the petitioner and he would be called for an enquiry, if required.

5. Recording the above said submission, this Criminal Original Petition is disposed of.

22.06.2023

Index : Yes / No
Internet : Yes/No
Speaking / Non-speaking order
rsi



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- To
- 1.The Inspector of Police,
Chengalpattu Town Police Station,
Chengalpattu,
Kancheepuram District.
 - 2.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

rsi

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