



WEB COPY



Crl.O.P.No.18657 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.18657 of 2024

K.Dinesh

....Petitioner

Versus

State Rep By
The Inspector Of Police (Crime)
S-13, Chrompet Police Station,
GST Road,
Chrompet, Chennai-600 044

....Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the respondent police not to harass the petitioner under guise enquiry on the false complaint.

For Petitioner : Mr.R.Baskar

For Respondents : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER

The petitioner herein is the power agent of one Bakkiyam is before this Court seeking protection from the police harassment.

2. According to the learned counsel for the petitioner on 25.04.2023, the defacto complainant Bakkiyam appointed the petitioner



Crl.O.P.No.18657 of 2024

herein as agent and executed a general power of attorney coupled with interest. The petitioner had cleared the cloud over the title dispute between the rival claimants. Thereafter, the defacto complainant unilaterally cancelled the power of attorney. To prevent the petitioner herein seeking legal remedy had give a false complaint as if the petitioner had cheated her. Alleging under the guise of investigating the said complaint, police is harassing him. Hence need protection.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that a complaint dated 20.06.2024 against this petitioner received by the police and he was called for enquiry, he participated in the enquiry and has stated that he has already parted away around a sum of Rs.38,40,000/- to the son of the defacto complainant and to settle the civil dispute, he has spent more than Rs.1,50,000/-. Since the power of attorney unilaterally cancelled, he is contemplated to file civil suit to get remedy.

4. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.Side).

5. Having filed the civil suit to declare the unilaterally



CrI.O.P.No.18657 of 2024

cancelation of the power of attorney is void, the issue between Bakkiyam and the petitioner is subjudice before the civil Court. Therefore, the respondent police shall not interfere in the civil dispute. They shall record the statement given by the petitioner herein in the course of enquiry and close the complaint.

6. With this observation, this Criminal Original Petition is disposed of.

06.08.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Inspector Of Police (Crime)
S-13, Chrompet Police Station,
GST Road,
Chrompet, Chennai-600 044

2.The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.

rpl



WEB COPY



Crl.O.P.No.18657 of 2024

Crl.O.P.No.18657 of 2024

06.08.2024