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CrI.OP.No.22750 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.OP.No.22750 of 2024

N.Subramanian

... Petitioner

Vs.

1.The State Rep. by,
Inspector of Police (L & O)
Thiruverkadu Police Station,
Chennai - 600077

2.The State Rep. by,
Inspector of Police (Crime)
Thiruverkadu Police Station,
Chennai - 600077

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C.
to direct the respondent police herein not to harass the petitioner under the
guise of an enquiry and pass such other suitable orders.

For Petitioners : Mr.G.Vairava Subramanian

For Respondents : Mr.S.Udaya Kumar,
Govt. Advocate(Crl. Side)



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ORDER

This Criminal Original Petition is filed to direct the respondent police herein not to harass the petitioner under the guise of an enquiry.

2. The contention of the petitioner is that the petitioner on the complaint of one C.Rajkumar was called for enquiry by the 1st respondent police. According to the petitioner, a mistake was committed by the bank officials during the preparation of the Memorandum Relating to Deposit of Title Deeds (MODT). The Document Writer preferred by the bank incorrectly mentioned Flat No. F3 instead of Flat No. S2 while preparing the MODT. Further, during Corona period, the petitioner had defaulted in making EMI payments. Thereafter, bank issued a notice calling the petitioner to appear before them and also forced the petitioner to settle the loan amount otherwise, SARFAESI proceedings would be initiated. Later, the bank realized the mistake and forced the petitioner to execute a rectification deed.

3. The petitioner further submitted that the respondent police have no role in the dispute between the petitioner and the bank. However, the petitioner has been forced by the respondent police to execute a rectification



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deed as per the bank's requirement and under the guise of investigation he has been harassed. Therefore, the above petition has been filed.

4. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that on the complaint of one Rajkumar before the Commissioner of Police, a complaint was filed in C.No.11/1191/COP/Avadi/2024. On the receipt of the complaint, the petitioner was called for enquiry. The petitioner appeared before the respondent police for the enquiry and admitted the mistake and also undertook to rectify the mistake by filing an appropriate petition. Recording the same, the enquiry was closed.

5. In view of the above, Crl.OP.No.22750 of 2024 stands closed.

18.09.2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
(shr)



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To
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- 1.The Inspector of Police (L & O)
Thiruverkadu Police Station,
Chennai - 600077
- 2.The Inspector of Police (Crime)
Thiruverkadu Police Station,
Chennai - 600077
- 3.The Public Prosecutor,
High Court of Madras, Chennai.



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M.NIRMAL KUMAR, J.,

(shr)

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