



Crl.O.P.(MD)No.540 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.540 of 2025

Arumugadevi

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai, Madurai City.

2.The Inspector of Police (Crime),
Anna Nagar Police Station,
Madurai.

3.Rajeshkumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S., to issue a direction to the second respondent not to harass the petitioner under the guise of enquiry without due process of law, on the basis of the petitioner 's complaint dated 06.01.2025.

For Petitioners

: Mr.G.Hari Haran

For R1 & R2

: Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

The petitioner has filed this petition seeking a direction to the second respondent not to harass the petitioner under the guise of enquiry



Crl.O.P.(MD)No.540 of 2025

without due process of law based on the petitioner's complaint dated 06.01.2025.

2.The petitioner has sent a representation dated 06.01.2025 to the Commissioner of Police making a complaint that the second respondent had questioned the petitioner with regard to Maruti Suzuki Baleno Car and it was entrusted on her by one Rajesh Kumar and the petitioner had appeared before the Anna Nagar Police Station on 28.12.2024 and made a statement that the said Rajesh Kumar had pledged the said car with the petitioner and after returning the money to the petitioner, the said Rajesh Kumar and his friend have taken the car with them. Now the respondent police is forcing the petitioner to pay a sum of Rs.2 lakhs. Hence, the petitioner has filed this petition.

3.The learned Additional Public Prosecutor appearing for the respondent police submits that the third respondent is an accused in Crime No.782 of 2024 along with one Angel on the complaint given by one Vinoth as if the third respondent had squatted his car. During investigation, it came to know that the car of Vinoth was taken by the third respondent and it was handed over to the petitioner herein, who is none other than the aunt of the third respondent. The petitioner later had



Crl.O.P.(MD)No.540 of 2025

sold the car to some one for a sum of Rs.2 lakhs. For returning the said amount, the petitioner was called for enquiry. The petitioner has also seized the car and the petitioner had agreed to return a sum of Rs.2 laksh, which he had collected from the buyer. But now projecting her consent as forcible extraction and harassment. Hence, he opposed this petition.

4.The petitioner has admitted that the car in question was under her custody for some time. Hence, the petitioner was directed to appear for enquiry. The petitioner has to appear before the respondent police to give her explanation about the money transaction with the third respondent and the custody of the car for some time. Hence, this Court is of the view that there is no harassment at the hands of the respondent police.

5.At this juncture, the learned counsel for the petitioner submits that the petitioner will appear before the respondent police on 27.01.2025.

6.In view of the above, the petitioner herein is directed to appear before the second respondent police on 27.01.2025 for enquiry and on the said date, the buyer, namely Naresh shall also be present. The



Crl.O.P.(MD)No.540 of 2025

respondent police is directed to conduct investigation with regard to the payment of Rs.2 lakhs.

7.This Criminal Original Petition is closed accordingly.

10.01.2024

NCC : Yes / No
Index : Yes / No
ta

To

- 1.The Commissioner of Police,
Madurai, Madurai City.
- 2.The Inspector of Police (Crime),
Anna Nagar Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.540 of 2025

M.NIRMAL KUMAR, J.

ta

Crl.O.P.(MD)No.540 of 2025

10.01.2025