



Crl.O.P.(MD) No.748 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD) No.748 of 2025

P.Chandra

... Petitioner

Vs.

1.The Sate of Tamilnadu
Represented by
The Commissioner of Police,
Alagar Koil Road,
Madurai - 625 002.

2.The State of Tamilnadu
Represented by
The Inspector of Police,
O/o. The Inspector of Police,
Thallakulam Police Station,
Madurai City.

3.P.Durairaj

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, 1973 to direct the second respondent not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.S.Mukesh

For R1 & R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

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2. The petitioner has sent a representation to the first and second respondents on 28.12.2024, stating that she is being unnecessarily called in relation to a landlord-tenancy dispute with the third respondent at odd hours and has been made to wait at the police station for long hours. The petitioner runs a grocery shop in front of her house and resides in one room. Her sons take care of her and occupy the rest of the house. The petitioner had earlier submitted a complaint to the District Collector, Madurai District, under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, against her sons for proper maintenance.

3. The learned Additional Government Pleader appearing for the first and second respondents submitted that the third respondent is the former tenant of the petitioner, and the petitioner has received a sum of Rs.4,00,000/- from the third respondent as lease amount. The fourth respondent vacated the house at the instance of the petitioner. The



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petitioner has not repaid the lease amount of Rs.4,00,000/-. Earlier, a complaint was lodged by the third respondent, and C.S.R.No.1134/2024 was assigned. The petitioner appeared on 26.08.2024 and agreed to repay the lease amount of Rs.4,00,000/- to the third respondent. However, the petitioner failed to repay the same. Hence, she was called for further enquiry.

4. He further submitted that the petitioner's sons were questioned, and they confirmed that the petitioner had received Rs.4,00,000/- from the third respondent, which she converted into gold jewels, and that she now has gold jewels worth about Rs.4,00,000/-.

5. Considering the fact that the receipt of Rs.4,00,000/- by the petitioner from the third respondent as lease amount is not denied, it is for the petitioner to repay the lease amount when the third respondent has vacated the premises. The petitioner had earlier undertaken to repay the amount, but she failed to do so. In such circumstances, calling for an enquiry cannot be termed as harassment. Therefore, there is no merit in this Criminal Original Petition.



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6. Accordingly, this Criminal Original Petition stands dismissed.

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Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order/Non-Speaking Order

JEN

To:

- 1.The Commissioner of Police,
Alagar Koil Road,
Madurai - 625 002.
- 2.The Inspector of Police,
O/o. The Inspector of Police,
Thallakulam Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

JEN

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