



Crl.O.P.(MD)No.6575 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.6575 of 2023

R.Rajesh

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

3.Subhakala

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent police not to harass the petitioner in the guise of enquiry by interfering 138 NI Act proceedings.

For Petitioner
For R1 & R2

: Mr.K.P.Narayanakumar
: Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking direction to the second respondent police not to harass the petitioner in the guise of enquiry by interfering 138 NI Act proceedings.

2. The learned Additional Public Prosecutor appearing for the respondent police submitted that on the basis of the complaint given by the third respondent, enquiry was undertaken. During the course of enquiry, it was found that in respect of money transaction, the petitioner filed a complaint under Section 138 NI Act before the FAST Track Court, Iraniel in C. M.P.No.592 of 2023 and the same is still pending.

3. During the pendency of the said proceedings, the present complaint has been given by the third respondent with an intention to harass the petitioner. Now the grievance of the petitioner is that he was harassed or forced by the respondents to withdraw the above said complaint.



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4. Since the complaint is pending before the FAST Track Court, Iranial in C.M.P.No.592 of 2023 under Section 138 NI Act, the respondent police may close the complaint by the directing the parties to workout their remedy in the pending matter itself.

With the above directions, this Criminal Original Petition is disposed of.

11.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN,J

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Order made in
CrI.O.P.(MD)No.6575 of 2023



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