

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.14811 of 2016

1.M/s.Surya Dairy Farm,
Rep. through its Proprietor,
Mr.A.P.Venkatachalam,
No.33, Annamalai Street,
Ammapet, Salem - 636 003.

2.A.Amutha
3.P.Murugesan
4.P.V.Tamilchelven (Deceased)
5.P.V.Balaji
6.P.V.Raja ... Petitioners

Vs

State of Tamil Nadu
Rep. by Inspector of Police,
Vazhapadi Police Station,
Salem - 636 111. ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the Inspector of Police, Vazhapadi Police Station, Salem-636 111 to register the complaint dated 23.06.2016 on the basis of the complaint given by the petitioner and investigate the matter in accordance with law.

For Petitioners : Mr.M.Kumaraswami

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent to register a case on the complaint dated 23.06.2016, given by the petitioner and to investigate the same.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

3. It is seen that the first petitioner had obtained loan from Indian Overseas Bank and has given his property as surety. He had defaulted in repayment of

loan and therefore, the Bank had brought the property in auction. One K.S.Balachander and R.Suresh Kumar are said to have purchased the property in auction. In connection with this, there are several litigations pending between the first petitioner and the Bank. Now, it is alleged by the petitioner that on 26.06.2016, the said K.S.Balachander and R.Suresh Kumar, threatened the petitioner and criminally intimidated him.

4. On a reading of the complaint dated 23.06.2016, it is clear that, this is a civil dispute being given a criminal colour by alleging that the opposite party intimidated the petitioner. Hence, no positive direction can be issued as prayed for by the petitioner.

In view of the above, this Criminal Original Petition is closed with liberty to the petitioners to work out their remedies in the manner known to law.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

ds

To

1.The Inspector of Police,
Vazhapadi Police Station,
Salem - 636 111.

2.The Public Prosecutor,
High Court, Chennai.

+ 3 CCS to Mr.M.Kumaraswami, Advocate SR NO 40479
(16/8/16)

SV[CO]
KR/

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