

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1498 of 2016

1.T.R.Ashok
2.K.R.Vinod Raj
3.Mrs.Anila Vinod

..Petitioners

/vs/

The State Rep.by Inspector of Police,
City Crime Branch,
Coimbatore.

..Respondent

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the respondent not to harass the
petitioners based on the complaint given by K.G.Suresh.

For Petitioners: Mr.A.Suresh

For respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been
filed to direct the respondents not to harass the
petitioners, based on the complaint given by one K.G.Suresh.

2.It has been stated by the petitioners that one
K.G. Suresh had purchased CT Scan Machine from the second
petitioner for a sum of Rs.40,00,000/- and on 09.01.2015
the second petitioner and the said K.G. Suresh along with
one Syamaprakashan entered into an agreement of Licence for
a period of 11 months to operate the CT Scan Machine and
the licence amount was fixed at Rs.1,20,000/-. As per the
agreement, the second petitioner has been paying the
licence amount to the above said persons. After
completion of the agreement period, the said K.G. Suresh
approached the second petitioner stating that the above CT
Scan machine is not working properly and he demanded to
return his money immediately. When the second petitioner
stated that he has already sold out the machine and he
could not take back it, the said K.G. Suresh threatened
the petitioners along with some rowdy elements and also

lodged a false complaint before the respondent police as against the petitioners with an ulterior motive. But, the respondent police, without conducting an enquiry, was threatening the petitioners to settle the amount to the said K.G. Suresh. Hence, the petitioners filed anticipatory bail in C.M.P.No.3468 of 2015 before the District and Sessions Court at Coimbatore and obtained an dismissal order dated 05.01.2016 as "no case no petition". Even after then, the respondent police is calling the petitioners for enquiry and harassing them. Hence, the petitioners have come forward with the present Criminal Original Petition.

3. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that since the complaint given by one K.G. Suresh is pending against the petitioners, the respondent-police called them for enquiry and the respondent police has no intention to harass the petitioners and only in order to avoid the enquiry, the petitioners have filed the present petition.

4. Considering the submissions made on either side, this Court is constrained to pass the following order:-

- (i) The petitioners are directed to co-operate with the enquiry.
- (ii) The respondent-police is directed to conduct the enquiry in accordance with law, without harassing the petitioners.

5. The criminal original petition is ordered accordingly.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

1. The Inspector of Police,
City Crime Branch,
Coimbatore.

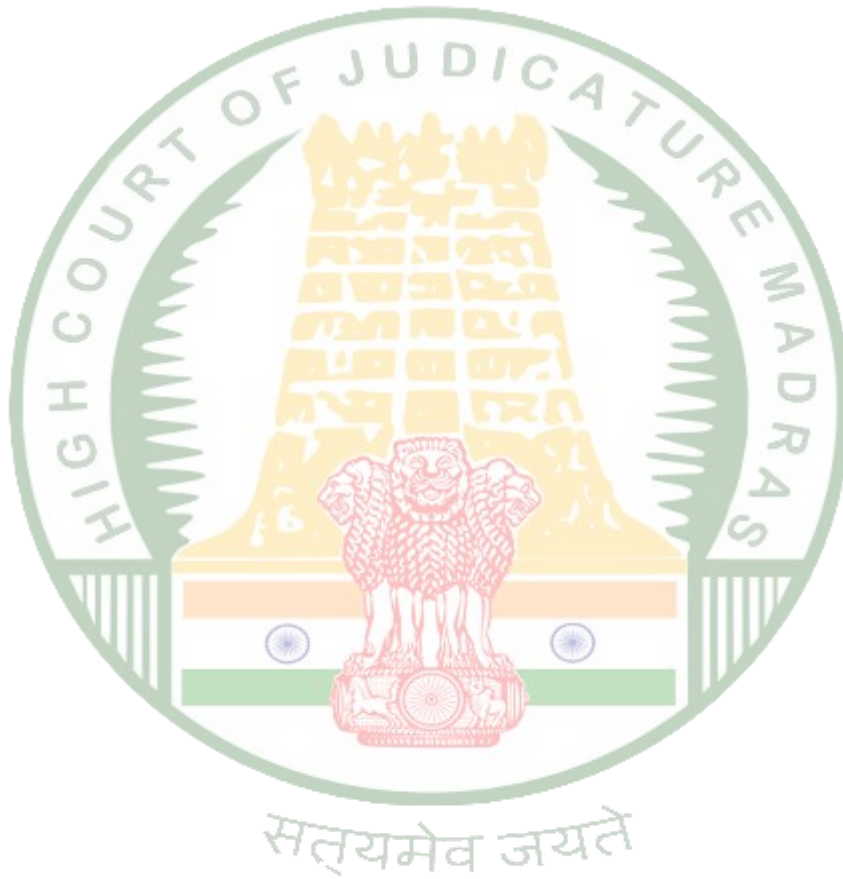
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2.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.A. Suresh, Advocate, Sr. 4687

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