



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2016

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CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

Criminal Original Petition (MD) No.11551 of 2016

1.K.Mahendran

2.Vanmathi

... Petitioners

vs.

1.The Superintendent of Police

Theni District, Theni

2.The Deputy Superintendent of Police

Uthamapalayam, Theni District

3.The Inspector of Police

Rayappanpatti Police Station

Rayappanpatti, Uthamapalayam Taluk

Theni District

4.Prabhu

Working Constable

Rayappanpatti Police Station,

Rayappanpatti, Uthamapalayam Taluk

Theni District

5.Udayakumar

Rayappanpatti Police Station

Rayappanpatti, Uthamapalayam Taluk

Theni District

6.Sasikumar

Rayappanpatti Police Station

Rayappanpatti

Uthamapalayam Taluk

Theni District

7.Sadaiyandi @ Kubendran

... Respondents

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the respondents 2 to 6 herein not to involve in the money transaction between the petitioners and the 7th respondent herein



and not to harass them and their family members.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.P.Kandasamy

G.A.(Crl.Side) for R1 to R3

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O R D E R

Mahendran and Vanmathi, who are spouses, seek direction under Section 482 Cr.P.C., as against the Inspector of Police, Rayappanpatti Police Station, Theni District, and his subordinates, that they shall not involve in a money dispute between them and 7th respondent and they shall not be harassed by the Police.

2. According to the learned counsel for the petitioners, the petitioners are intended to the 7th respondent for certain sums of money under a Promissory Note. They are in financial crisis. In the circumstances, the 7th respondent gave a false complaint as against them and incidentally his son / 6th respondent, who is working as a Constable in Rayappanpatti Police Station add fuel to the fire and in a money dispute Rayappanpatti Police is harassing the petitioners.

3. The learned Government Advocate (Criminal Side) submitted that the 7th respondent gave a complaint as against the petitioners that they have to pay Rs.3,00,000/- to him and when he demanded they have criminally intimidated him. It is being enquired into.

4. The learned Government Advocate (Criminal Side) further submitted that the matter is being enquired into by Rayappanpatti Police. The petitioners will not be harassed and every action will be taken strictly in accordance with law.

5. The above submission of the learned Government Advocate (Criminal Side) is recorded. Further, it is made clear that if there is a report of cognizable offence, strictly in accordance with the provisions of the Code of Criminal Procedure and also observing the commandments of the Hon'ble Supreme Court issued in **D.K.Basu vs. State of West Bengal [1997 (1) SCC 416,** Rayappanpatti Police can enquire into the matter, but at any way in a money dispute they should not / shall not harass the petitioners.

6. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(W)

/True Copy/



To

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- 1.The Government Advocate (Criminal Side),
Madurai Bench of Madras High Court,
Madurai.
- 2.The Superintendent of Police,
Theni District,
Theni.
- 3.The Deputy Superintendent of Police,
Uthamapalayam,
Theni District.
- 4.The Inspector of Police,
Rayappanpatti Police Station,
Rayappanpatti,
Uthamapalayam Taluk,
Theni District.

+1cc to Mr.A.SARAVANAN,Advocate Sr.No.36135
KRK
AA/NGM-MP/SAR-I/13.07.2016/3p-6c

Crl.O.P. (MD) .No.11551 of 2016
13.07.2016