



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P(MD)No.10440 of 2017

Vinoth

: Petitioner

Vs.

The Inspector of Police,
Palani Town Police Station,
Palani,
Dindigul District.

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent not to harass the petitioner and his family members not to compel to pay unborrowed amount under the guise of enquiry.

For Petitioner : Mr.A.Prasanna Rajadurai,
for Mr.S.Muthalraj.
For Respondent : Mr.K.Anbarasan,
Government Advocate(Crl.Side).

O R D E R

This Criminal Original petition is filed seeking a direction to the respondent not to harass the petitioner and his family members not to compel to pay unborrowed amount under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondent.

3. The petitioner stated that he is only an employee of one Abdul Malik. He also resigned his job and now he was running a Broiler-Chicken shop on his own at Viralimalai, Pudukottai District. According to the petitioner, earlier he was doing the same business for his employer and thereafter, there was no connection between the petitioner and his employer. However, the petitioner further stated that on the basis of the complaint alleged to have been filed by a third party against his employer, the petitioner is being harassed unnecessarily. Since the petitioner is forced to settle the issue by making payment, the petitioner stated that the whole thing is unauthorised and that therefore, the petitioner is constrained to file the present petition.



4. The learned Government Advocate (Criminal Side) on instructions submitted that the petitioner was only called for enquiry in connection with the complaint. He further submitted that the complaint lodged by one Paulraj is also produced before this Court.

5. As per the said complaint, the petitioner and one Abdul Malik have jointly received Poultry and that they did not pay the money with an intention to cheat the said Paulraj. In the said complaint, the petitioner also was described as a partner in the business. In such circumstances, this Court need not go into the factual issues. The petitioner need not be harassed and even if the presence of the petitioner is required for any enquiry, the same shall be done only after issuing summons prescribing date and time and in the manner known to law.

6. With the above observation, the Criminal Original petition is closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Palani Town Police Station,
Palani,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.NA.PALANIYANDI, ADVOCATE IN SR No. 71538

PMU
TE/KK/SAR-IV : 29/08/2017 : 2P/4C

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