



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.10998 of 2017

WEB COPY

1. R.Shanthi
2. Ramakrishnan

... Petitioners

-Vs-

1. State rep. By,
The Inspector of Police,
Karimedu Police Station,
Madurai District.

2. Palanisamy

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent not to harass the petitioners under the guise of enquiry on the foisted complaint of the second respondent.

For Petitioners : Mr.C.Suresh Kannan

For R-1 : 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 petitioners under the guise of enquiry on the foisted complaint of the second respondent.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal Side) appearing for the first respondent.

3. The petitioners themselves admit that the second respondent preferred a complaint as against the petitioners' son-in-law who had received a sum of Rs.3,00,000/- from the second respondent to arrange for a job in a Bank. Since the petitioners' son-in-law failed to arrange the job and also failed to repay the amount, the petitioners stated that the complaint was lodged by the second respondent as against the petitioners' son-in-law. However in that process, the petitioners were called upon to appear before the first respondent police for enquiry and forced to give a letter of undertaking to repay the money which the petitioners' son-in-law is bound to repay. It is further stated that on the basis of the letter given by the petitioners to the first



respondent police, the first respondent police is threatening the petitioners to pay the amount as undertaken by the petitioners in the said letter. The petitioner further stated that the said letter was given by them out of compulsion and that therefore, the first respondent cannot compel the petitioners either by threatening them or by harassing. It is in these circumstances, the petitioners have filed the above Criminal Original petition.

4. Since the petitioners themselves admit that they have handed over the letter to pay money which the petitioners' son-in-law is bound to repay to the second respondent, the first respondent police is directed to initiate action as against the petitioners' son-in-law in the manner known to law. The petitioners need not be harassed on the basis of the letter alleged to have been executed by them under compulsion. Even if the presence of the petitioners 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.

5. The Criminal Original petition is closed, accordingly.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Karimedu Police Station,
Madurai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1cc to M/s.C.Sureshkannan, Advocate,SR.74127

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PMU

KK/SV MMS/SAR4-29.08.2017-2P-4C