



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD)No.12209 of 2017

1.Dhanasekar

2.Banupriya

... Petitioners

Vs.

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2. The Inspector of Police,
District Crime Branch,
Ramanathapuram.

3.Janatha Kalishwari

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the 1st and 2nd respondents and their subordinates not to harass the petitioners at any event in so far as the complaint given by 3rd respondent, except without taking action in due process of law.

For Petitioners : Mr.A.Prem Anand

For Respondents : Mr.K.Anbarasan
Government Advocate (Crl.side).

O R D E R

This Criminal Original Petition has been filed to direct the 1st and 2nd respondents and their subordinates not to harass the petitioners in connection with the complaint given by the 3rd respondent.

2.The petitioners state that a complaint has been given by the third respondent as against them. It is further stated that the third respondent is an Unlicensed Money Lender charging exorbitant rate of interest. It is further stated that the petitioners are being harassed, based on the false complaint, which was only in relation with the money transaction between the petitioners and the third respondent. It is stated that taking advantage of the fact that the third respondent is one of the



relatives of police officials, the petitioners are compelled to settle the amount and that the third respondent has also obtained signature from the petitioners in some unfilled stamp papers. If the third respondent is trying to utilise the unfilled stamp papers, given by the petitioners, it is open to the petitioners to give a criminal complaint as against the third respondent either for squeezing him to make payment, without producing the unfilled stamp papers or for charging exorbitant rate of interest for the money advanced to them.

3.It is stated by the learned Government Advocate (CrI.side) that the petitioners were only summoned for enquiry and that in order to avoid the enquiry, the petitioners have preferred this petition.

4.Be that as it may, the respondents 1 and 2 are concerned, even if the complaint given by the third respondent discloses cognizable offences, it is open to them to register the same and proceed further in the manner known to law. The petitioners can only be called for any enquiry after issuing summons and they should not be harassed. The Criminal Original Petition is closed accordingly.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Inspector of Police,
District Crime Branch,
Ramanathapuram.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.A.Prem Anand , Advocate in SR No. 78962

mm/cmr
AE/KP/SAR3/10.10.2017/2P/5C