



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.12347 of 2017

WEB COPY

1.Kavitha
2.Balamurugan

: Petitioner

-Vs-

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Deputy Commissioner of Police,
Thillai Nagar, Trichy District.

3.The Inspector of Police (Crime),
Thillai Nagar Police Station,
Trichy District.

4.Ameerullah

: Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents 2 and 3 not to harassing the petitioners in the guise of enquiry without following due process of law.

For Petitioners : Mr.R.Murugappan
For Respondents 1 to 3 : Mr.K.Anbarasan,
Government Advocate(Crl.Side)

O R D E R

This petition is filed for issuing a direction to the respondents 2 and 3 not to harass the petitioners under the guise of enquiry.

2. The petitioners stated that there was an agreement between the petitioners and the fourth respondent in connection with their business and that as per the terms of agreement, any dispute between the petitioners and the fourth respondent should be resolved by referring the matter to Arbitration. It is further stated that the fourth respondent instigated the respondents 2 and 3 to recover the huge sum of Rs.20,00,000/- to the fourth respondent in connection with the business.

3. The learned counsel appearing for the petitioners stated that the respondents 2 and 3 are enquiring into this matter after receiving the complaint from the fourth respondent. It is



also submitted by the learned counsel appearing for the petitioners that the petitioners are being harassed by the third respondent and the petitioners are brought to the police station for enquiry.

4. Heard the learned Government Advocate (Crl. Side) appearing for the respondents 1 to 3.

5. Having regard to the facts stated by the petitioners, this Court is inclined to pass the following directions:

Unless the complaint is received against the petitioners, they shall not be called for an any enquiry. The respondents 2 and 3 can enquire if any complaint is received from the fourth respondent or any one as against the petitioners, only after issuing summons prescribing the date and time and giving reasons for such enquiry in the manner prescribed in law. There shall not be any harassment.

6. With the above observations, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Trichy City, Trichy.

2. The Deputy Commissioner of Police,
Thillai Nagar, Trichy District.

3. The Inspector of Police (Crime),
Thillai Nagar Police Station,
Trichy District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. R. MURUGAPPAN Advocate in SR. No. 79761

TRP

JS/SKN.RSK/SAR.2/27.09.2017/2P-6C