



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2017

CORAM:

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THE HONOURABLE MR. JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.12389 of 2017

Aslam @ Mohammed Asalam

: Petitioner

-Vs-

1.The Inspector of Police,
Kumbakonam Taluk Police Station,
Kumbakonam,
Thanjavur District.

2.Mohammed Yasir Arafath

: Respondents

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent not to harass the petitioner under the guise of enquiry based on a false complaint given by the second respondent.

For Petitioner : Mr.A. Saravanan

For Respondent No.1 : Mr.K.S.. Durai Pandian

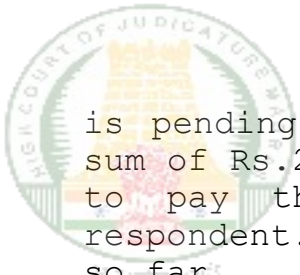
Additional Public Prosecutor

O R D E R

This petition is filed for issuing a direction to the first respondent not to harass the petitioner herein under the guise of enquiry.

2. It is stated by the petitioner that the petitioner along with his family members are residing at No.2 Kumaran Nagar, Karikulam, Thiruvidaimaruthur Taluk and that the petitioner is doing some business. It is further stated that in the course of business, there was some money transaction with the second respondent and that the second respondent has given a representation to the Chief Minister's Grievance Cell regarding the non payment of money. It is further stated that the first respondent Police to whom the complaint / representation has been forwarded is harassing the petitioner.

3. The learned Additional Public Prosecutor appearing for the first respondent on instructions submitted that the complaint has been forwarded to the first respondent and that the petition enquiry



is pending. As per the representation of the second respondent a sum of Rs.24,00,000/- is due to him and the petitioner who is liable to pay the said huge amount is trying to cheat the second respondent. He further submitted that no case has been registered so far.

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4. In such circumstances, the first respondent is directed to register the case if the representation i.e forwarded to the first respondent disclose any cognizable offence against the petitioner. However, if the petitioner is required for an enquiry by the first respondent, the same also shall be done only by issuing summons prescribing date and time and in the manner prescribed in law.

5. With the above observation, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Kumbakonam Taluk Police Station,
Kumbakonam,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.A.SARAVANAN, ADVOCATE IN SR No. 81750

TRP

TE/JC/SAR-I : 12/10/2017 : 2P/4C

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