



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2017

CORAM:

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI, J.

CRL.O.P.(MD)No.14264 of 2017

1.N.Jayakumar

2.S.Masanamuthuvel

... Petitioners

-Vs-

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

2. The Superintendent of Police,
Theni District, Theni.

3. The Inspector of Police (L &O),
Karimedu Police Station, Madurai.

4. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.

5.K.Selvi

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 to 4 or their men not to harass the petitioners under the guise of enquiry.

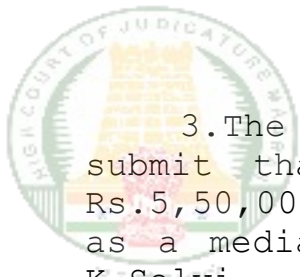
For Petitioner : Mr.R.Babu Jaganath

For R1 to R4 : Mr.K.Anbarasan,
Government Advocate(Crl.Side)

O R D E R

This Criminal Original petition has been filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 to 4 or their men not to harass the petitioners under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal side) appearing for the respondents 1 to 4.



3.The learned counsel appearing for the petitioners would submit that the first petitioner has lent a loan amount of Rs.5,50,000/- to one K.Selvi. The second petitioner herein stood as a mediator for arranging the above said amount in favour of K.Selvi.

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4.However, the fifth respondent has issued a cheque in favour of the petitioner to repay the loan amount. The said cheque was presented for collection before the appropriate bank. However, the cheque was returned as 'insufficient fund'. Thereafter, the first petitioner filed a case under Section 138 of Negotiable Instrument Act, before the learned Judicial Magistrate Cum Munsif's Court, Bodinayakanur and the trial was pending. In the meantime, similar case was filed by the fifth respondent against the petitioners on the ground that the petitioners were trying to misappropriate the money. Hence, the petitioners filed this petition before this Court not to harass the petitioners under the guise of enquiry.

5.The learned Government Advocate(Crl.side) appearing for the State would submit that the respondents police received a complaint from the fifth respondent and the enquiry is pending.

6.Considering the submissions made by the learned counsel for the petitioners as well as learned counsel for the respondents police, this Court directs the respondents police to complete the enquiry and pass appropriate orders on merits and in accordance with law within a period of one week from the date of receipt of a copy of this order. The petitioners shall not be harassed by the respondents police till the completion of the enquiry.

7.With the above direction, this Criminal Original petition is disposed of. No Costs.

Sd/-

Assistant Registrar(Records)

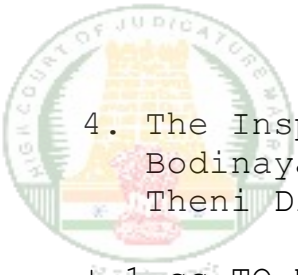
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Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Superintendent of Police,
Theni District, Theni.

<https://hcservicescourts.mysipoliceservices.net>
3. The Superintendent of Police (L &O),
Karimedu Police Station, Madurai.



4. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.

+1 cc TO Mr.R.Babu Jaganath, Advocate in SR No. 83608

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AE/SKN RSK/SAR2/20.11.2017/3P/6C

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