

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 21.12.2017****CORAM:****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****CRL.O.P. (MD) No.17655 of 2017**

Mr.A.Mukundan

... Petitioner

-Vs-

1.The Inspector of Police,
C1, Palayamkottai Police Station,
Palayamkottai,
Tirunelveli-627 002.

2.The Commissioner of Police,
Commissioner Office,
Tirunelveli.

3.Mr.Krishnan,
Advocate,
Tirunelveli District Court,
Tirunelveli.

... Respondents/Defactor Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Respondent Police not to harass the petitioner in the guise of enquiry based on the complaint given by the Mr.Krishnan as against Mr.Raja.

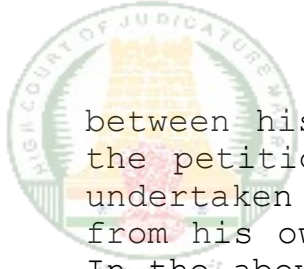
For Petitioner : Mr.V.OM Prakash
For R1 & R2 : Mr.K.S.Duraipandian,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed for issuing a direction to the Respondent Police not to harass the petitioner under the guise of enquiry.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.The petitioner states that his brother entered into a contract with the third party to construct a house for him and that the brother of the petitioner had approached the petitioner for consultation and that he has nothing to do with the transaction



between his brother and the third party. It is further stated that the petitioner though assisted his brother in supervising the work undertaken by his brother, the petitioner never received any fees from his own brother for his work apart from advancing some amount. In the above circumstances, it is further stated that the petitioner has demanded the amount from his brother and that there was some dispute between the petitioner and his brother.

4. Further, the petitioner states that he was called upon by the respondent police to pay some amount to the house owner which according to him is due from the petitioner's brother. The petitioner states that he has been harassed by the respondent police. The contention of the petitioner is denied by the learned Additional Public Prosecutor. According to him, there was no complaint lodged against the petitioner and there was no harassment. He further stated that no further enquiry is contemplated as against the petitioner and that therefore, the petitioner's presence is not necessary.

5. Recording the submission of learned Additional Public Prosecutor, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (T & P)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
C1, Palayamkottai Police Station,
Palayamkottai,
Tirunelveli-627 002.
2. The Commissioner of Police,
Commissioner Office,
Tirunelveli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.V.OM PRAKASH, Advocate SR.No.94414.

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