



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

CrI.O.P. (MD) No.17165 of 2016

WEB COPY

R.Balasubramanian

.... Petitioner

Vs.

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

2.The Assistant Commissioner of Police,
Central Crime Branch,
Madurai City.

3.The Inspector of Police,
Central Crime Branch,
Madurai City.

.... Respondents

Prayer: Petition is filed under Section 482 of Cr.P.C., to direct the respondents and their men not to harass the petitioner and his family members on the guise of enquiry by interfering into the civil dispute.

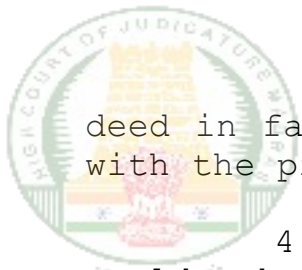
For petitioner : Mr.A.Kannan
For Respondents : Mr.K.Anbarasan
G.A.(CrI.side)

O R D E R

This petition has been filed to direct the respondents and their men not to harass the petitioner and his family members under the guise of enquiry by interfering into the civil dispute.

2.The learned counsel for the petitioner would submit that the petitioner's brother had entered into a sale agreement with the defacto complaint on 16.07.2012, while he was managing the affairs of the School run by the Trust and after the petitioner has taken over the management, he executed a mortgage deed in favour of the defacto complainant on 11.03.2015, however, instead of going before the Civil Court either for specific performance of the contract or for recovery of money, a false complaint was given before the respondent police.

3. He would further submit that the petitioner has <https://hsrtds.gov.in/hsrtds/> before the respondent and submitted all the documents, but the respondent is insisting the petitioner and his family members to repay the loan amount and to execute the sale



deed in favour of the defacto complainant. Hence, he has come out with the present petition.

4.Per contra, learned Government Advocate (Crl.side) would submit that based on the complaint given by one Udayakumar, the respondent police has conducted investigation and now it is pending to get opinion from the Public Prosecutor. It is further submitted that the respondent police has not harassed the petitioner and his family members.

5.Considering the rival submissions, this Criminal Original Petition is disposed of and the respondent is at liberty to conduct enquiry, but shall not harass the petitioner and his family members.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

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

2.The Assistant Commissioner of Police,
Central Crime Branch,
Madurai City.

3.The Inspector of Police,
Central Crime Branch,
Madurai City.

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

+1cc to M/s.A.Kannan, Advocate SR.No.52049

Crl.O.P.(MD)No.17165 of 2016

14.09.2016

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SD/SK-SKN/28.09.2016/2P/6C