



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:21.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.9425 of 2017

WEB COPY

U.Muthukrishnan

... Petitioner

-Vs-

1. The Superintendent of Police,
District Superintendent of Police Office,
Tuticorin, Tuticorin District.
2. The Deputy Superintendent of Police,
District Superintendent of Police Office,
Tuticorin, Tuticorin District.
3. The Inspector of Police,
Pudukkottai Police Station,
Tuticorin District.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, praying this Court to direct the third respondent not to harass the Petitioner based on the complaint given by one Karuppasamy which is a money transaction purely civil in nature.

For Petitioner	: M/s.G.Radhakrishnan
For Respondents	: Mr.C.Ramesh
	Addl. Public Prosecutor

O R D E R

This Criminal Original petition is filed for a direction to the third respondent not to harass the Petitioner based on the complaint given by one Karuppasamy, which is a money transaction purely civil in nature.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials placed before this Court.

3.The learned counsel for the petitioner submitted that he was promised to give a sum of Rs.35,000/- as broker commission for each cent by an individual and it is the case of the Petitioner that he requested the said individual by name Karuppasamy to comply with the agreement terms and to pay the broker commission. The said person instead of paying the broker commission, requested him to take Rs.1 lakh which was lying with him as advance towards



broker commission. However, after so many months, a false complaint has been given to the Police for return of Rs.1 lakh. It is only in connection with the said complaint, the third respondent Police is threatening the Petitioner.

4. The learned Additional Public Prosecutor on instructions submitted that the Petitioner himself has voluntarily executed a letter of undertaking to repay the said sum of Rs.1 lakh. In this regard, the learned counsel further submitted that there was no harassment on the Petitioner and the Petitioner has come to this Court with a false case.

5. Even from the statement of facts as found in paragraph 3 of the affidavit filed in support of this petition, this Court is not inclined to accept the case of the Petitioner and on the face of it appears to be unbelievable. Hence this Court comes to a conclusion that the Petitioner has not approached this Court with clean hands.

6. In view of the above, the Criminal Original petition is dismissed.

Sd/-

Assistant Registrar (Crl.Side)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
District Superintendent of Police Office,
Tuticorin, Tuticorin District.
2. The Deputy Superintendent of Police,
District Superintendent of Police Office,
Tuticorin, Tuticorin District.
3. The Inspector of Police,
Pudukkottai Police Station,
Tuticorin District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.RADHA KRISHNAN, Advocate, SR No. 67096.

VSN

PSM/SV/SAR2/28.07.2017/2P/6C

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