

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.11.2018

CORAM
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
CRL.O.P.No.26455 of 2018

R.Prabhu

...Petitioner

Vs.

1.The superintendent of Police,
Coimbatore District Police Superintendent Office,
State Bank Road,
Coimbatore.

2.The Inspector of Police,
Thudiyalur All Women Police Station,
Mettupalayam Road,
Thudiylur,
Coimbatore - 34.

....Respondent

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent not to harass the petitioner and pass such further or other orders as this Honourable Court may deem fit and proper in the nature.

For Petitioners : M/s.Shivakumar

For Respondent : Mr.C.Raghavan

Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent Police not to harass the petitioner.

2. It is seen from the records that one Nithya has given a complaint against this petitioner on the ground that the petitioner has received certain money from the said Nithya and the same has not been repaid.

3. The learned Government Advocate would submit that the police are conducting the enquiry based on the complaint given by said Nithya.

4. On a prima facie consideration, the entire dispute is more civil in nature. If the respondent Police finds that the dispute involved is civil in nature, he shall relegate the parties to the appropriate Civil Court, in order to agitate their rights. It is made clear that the respondent Police shall

strictly follow the guidelines issued by the Hon'ble Supreme Court of India in Lalitha Kumari Vs. Government of Uttar Pradesh reported in 2013 (6) CTC 353. It is also made clear that the respondent police shall not harass the petitioner in the name of enquiry.

4.This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kal/sbn

To

- 1.The superintendent of Police,
Coimbatore District Police Superintendent Office,
State Bank Road,
Coimbatore.
- 2.The Inspector of Police,
Thudiyalur All Women Police Station,
Mettupalayam Road,
Thudiylur,
Coimbatore - 34.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.Shivakumar, Advocate, S.R.No.78915

CRL.O.P.No.26455 of 2018

SVN (CO)

rrs 14/12/2018

WEB COPY