

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 10.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.28740 of 2018

SGA Cars India Pvt Ltd.,
Rep by its Managing Director,
S.Arputharaj,
No.5, Krishna Nagar,
Sowripalayam,
Coimbatore-641 028.

... Petitioner

Vs.

1.The Inspector of Police,
Peelamedu,
Coimbatore.

2.R.Ramkumar

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the first respondent not to harass the petitioner and allow the petition.

For Petitioner : Mr.N.Sankarasabari

For R-1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Court has already passed an order on 11.08.2018 in favour of the petitioner as follows:-

".....

3.Today, Mr.R.Sankarapandian, SSI, E-2 Police Station I&O, Coimbatore. On instructions, learned Government Advocate submitted that on the complaint given by one Ramkumar, petition enquiry is pending in C.S.R.No.223 of 2018 on the file of the first respondent.

4.In such view of the matter, the petitioner is directed to cooperate with the police for

enquiry and at the time of conducting enquiry, the petitioner shall not be harassed. During the course of enquiry, if any cognizable offence is made out, the respondent police is free to register an FIR and this order shall not be a shield for the petitioner against arrest.

.....”

2.The learned counsel for the petitioner would submit that inspite of the earlier enquiry conducted by the respondent police, the very same person has again given a complaint on the same cause of action and the petitioner is being harassed in the name of enquiry.

3.The learned counsel for the petitioner would further submit that a suit is already pending on the file of the District Munsif Court, Coimbatore, in O.S.No.1198 of 2018, with regard to the very same dispute.

4.In view of the above, there shall be a direction to the respondent police not to conduct any further enquiry in this matter and relegate the parties to work out their rights before the appropriate Civil Court.

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

Sd/-
Assistant Registrar(CS - III)

//True copy//

Sub Assistant Registrar

vsg1/ia

To

1.The Inspector of Police,
Peelamedu, Coimbatore.

2.The Public Prosecutor, High Court, Madras.

+1cc to Mr.N.Sankarasabari, Advocate SR.No.84885

Cr1.O.P.No.28740 of 2018

SV (CO)

GMV (02/01/2019)