



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2018

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WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CrI.O.P.(MD) No.149 of 2018

1.Mathanraj
2.Tamilarasan
3.Arumuga Perumal

... Petitioners

-Vs-

1.The Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Ambasamudram,
Tirunelveli District.

3.The Inspctor of Police,
Kallidaikurichi Police Station,
Ambasamudram Taluk,
Tirunelveli District.

4.Thavasimuthu

5.Shanmugaselvan

6.Raja

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents 2 and 3 not to harass the petitioners under the guise of enquiry based on the complaint made by the respondents 4 to 6.

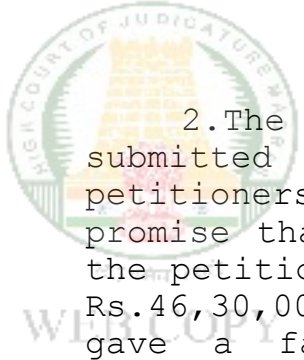
For Petitioners : Mr.V.Sasikumar

For Respondent Nos. 1 to 3 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (CrI.side)

For Respondent No.4 : Mr.R.Anand

O R D E R

This petition has been filed by the petitioners to direct the respondents 2 and 3 not to harass the petitioners under the guise of enquiry based on the complaint made by the respondents 4 to 6.



2.The learned counsel appearing for the petitioners has submitted that one Rajan has collected the amount from the petitioners and also from the respondents 4 to 6 by giving false promise that he will obtain appointment orders from the railway to the petitioners and the respondents 4 to 6 and he received a sum of Rs.46,30,000/-. He further submitted that the respondents 4 to 6 gave a false complaint against the petitioners, as if, the petitioners have cheated them and based on the said complaint, the respondents 2 and 3 are harassing the petitioners under the guise of enquiry. Hence, the petitioners approach this Court.

3.The learned counsel for the respondents 4 to 6 submitted that actually the petitioners have issued forged appointment orders to the respondents 4 to 6 and also took them to Buvaneshwar, Orisha State and they were subjected to medical examination also. Later on, it was found that the said orders are bogus. He further submitted that by showing said bogus orders the petitioners have received a sum of Rs.50,00,000/- from the respondents 4 to 6 and hence, the respondents 4 to 6 gave a complaint before the respondents 2 and 3. The petitioner should be directed to appear for enquiry before the police authority.

4.The learned Government Advocate submitted that the respondents 4 to 6 gave a complaint against the petitioners herein and the same is pending for enquiry. He further submitted that today the third petitioner also gave a complaint and the same is also pending and he requested the Court to direct both the parties to appear for enquiry.

5.Considering the aforesaid submissions, both the parties are directed to appear before the third respondent for enquiry and the third respondent is directed to conduct enquiry without harassing the petitioners and if the enquiry reveals that any cognizable offence is made out, the third respondent has to register a case and proceed further in accordance with law.

With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Ambasamudram,
Tirunelveli District.



3.The Inspector of Police,
Kallidaikurichi Police Station,
Ambasamudram Taluk,
Tirunelveli District.

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

+1cc to M/S.V.Sasikumar, Advocate SR.No. 41225

Crl.O.P. (MD) No.149 of 2018
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RMK/VSG
JM/SKN RSK/SAR 1/01.02.2018/3P/6C