



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2018

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.1724 of 2018

M.Manickam

... Petitioner

-Vs-

1. The Inspector of Police,
District Crime Branch,
Sivagangai District.

2. Srinivasan

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to issue an order of direction to the first respondent police not to harass the petitioner in view of forcing him to settle some amount to the second respondent based on the complaint of the second respondent.

For Petitioner	: Mr.A.K.Manickam
For R1	: Mr.Prabu Ramachandran Government Advocate(Crl.side)

O R D E R

This petition has been filed to direct the first respondent not to harass the petitioner based on the complaint given by the second respondent.

2.The learned counsel for the petitioner has submitted that one K.Pandi gave a Power of Attorney to the petitioner on 11.01.2007 and based on the said Power of Attorney, the petitioner has executed a sale deed on 06.02.2007 in favour of one Ramu Annamalai and after eleven years, the second respondent, who is a cousin of the original owner, namely K.Pandi, gave a false complaint before the first respondent stating that the petitioner has sold the property in a fraudulent manner without having any right. He further submitted that already the petitioner has moved an anticipatory bail application in Crl.O.P(MD).No.12 of 2018 and in that petition, this Court has passed an order on 04.01.2018, directing the first respondent to complete the enquiry within a period of three weeks by way of registering the case or close the enquiry, if no *prima facie*



case is made out and even thereafter, the first respondent has not registered a case or close the complaint, but he is harassing the petitioner under the guise of enquiry.

3. The learned Government Advocate (Crl.side) has submitted that after receipt of the complaint, based on the order passed by this Court in Crl.O.P(MD).No.12 of 2018, the first respondent has issued summons three times to the petitioner and he also received the summons, but he has not appeared before the first respondent and hence, the enquiry could not be completed.

4. Though the first respondent has issued summons to the petitioner, he has not appeared in pursuance of the said summons. As per the representation of the learned Government Advocate (crl.side), the first respondent has issued only summons and that does not amount to harassment. No material has been produced before this Court by the petitioner to substantiate that the first respondent is harassing the petitioner. Hence, the criminal original petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
District Crime Branch,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.A.K.MANICKAM, ADVOCATE IN SR No. 46340

RMK

TE/JC/SAR-4 : 07/03/2018 : 2P/4C

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