



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD)No.2282 of 2018

WEB COPY

1.P.Deepan
2.N.Pandidurai
3.P.Sangareswari

... Petitioners

-Vs-

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The State represented by
The Inspector of Police,
Vembakkottai Police Station,
Vembakkottai,
Virudhunagar District.

3.Usha

...Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioners under the guise of enquiry on the basis of false complaint submitted by the third respondent forthwith.

For Petitioners
For RR 1 and 2

: Mr.S.Palani Velayutham
: Mr.Prabu Ramachandran,
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioners under the guise of enquiry based on the complaint given by the third respondent.

2.The learned counsel for the petitioner has submitted that the first petitioner has borrowed a sum of Rs.25 lakhs from the third respondent and subsequently, he has paid a sum of Rs.19 lakhs along with interest. He further submitted that the said transaction is only civil in nature and that being so the third respondent working as a woman constable, gave a false complaint before the second respondent. Based upon the said complaint the second respondent is harassing the petitioners.

3.The learned Government Advocate (Crl.side) has submitted that the third respondent gave a complaint on 19.01.2018, stating that the petitioners have received a sum of Rs.30 lakhs and 10 sovereigns from her and subsequently, they are refusing to return the same and thereby they have cheated her. He further submitted that



the said complaint is pending for enquiry.

4. Considering the aforesaid submissions, the second respondent is directed to expedite the enquiry and if the enquiry reveals the dispute is civil in nature then he has to direct the parties to approach the civil court and if the enquiry reveals any cognizable offence, then he has to register a case and proceed further in accordance with law. But during enquiry, the petitioner should not be subjected to any harassment.

5. With the aforesaid observation, this Criminal original Petition is disposed of.

Sd/
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Inspector of Police,
Vembakkottai Police Station,
Vembakkottai, Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.PALANI VELAYUTHAM Advocate, SR.No. 49618

C.R.L.O.P. (MD) No. 2282 of 2018
16.02.2018

DAS
KK/JC/15.03.2018/SAR-2/2P-5C