



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2867 of 2018

WEB COPY

Abdul Bass

... Petitioner

-Vs-

1.The Superintendent of police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
District Crime Branch,
Ramanathapuram District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, praying to direct the first respondent to direct the second respondent to not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.S.Prabhu

For Respondents : Mr.Prabu Ramachandran

Government Advocate (Crl.Side)

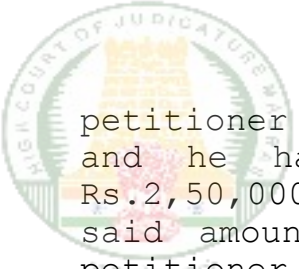
O R D E R

This petition has been filed to direct the second respondent not to harass the petitioner under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioner and the Government Advocate (Crl.Side) appearing on behalf of the respondents.

3. The learned counsel for the petitioner has submitted that one Hajar Beevi gave a false complaint against the petitioner stating that she has entrusted the construction work of her house to the petitioner and also she gave Rs.4,00,000/- to the petitioner for the construction work and subsequently, the petitioner refused to construct the house and also refused to repay the amount. He further submitted that the said Hajar Beevi has approached the petitioner only for getting estimate value for construction of her house and she has not entrusted the construction work to the petitioner and she also not paid any amount. But the second respondent is harassing the petitioner based on the said false complaint given by the said Hajar Beevi.

4. The learned Government Advocate (Crl.Side) has submitted that after receipt of the said complaint from the Hajar Beevi, the petitioner was called by the second respondent for enquiry and the



petitioner also appeared before the second respondent on 05.02.2018 and he has given a written statement that he has received Rs.2,50,000/- from the defacto complainant and he will return the said amount within two months before 15.03.2018. However, the petitioner was not subjected to any harassment.

5. The learned counsel by way of reply submitted that since, the second respondent has compelled the petitioner to give a written statement, the petitioner gave a written statement. Actually, the petitioner has not given any such statement voluntarily.

6. Considering the aforesaid submissions, the second respondent is directed to enquire into the matter, if it reveals any cognizable offence, then he has to register a case and proceed in accordance with law. Instead of doing so, he should not harass the petitioner unnecessarily.

7. Recording the aforesaid submissions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
District Crime Branch,
Ramanathapuram District.

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

+1cc to M/S.S.Prabhu, Advocate SR.No. 52766

CRL.O.P. (MD) No.2867 of 2018
02.03.2018

pnn

JM/JC/SAR 1/23.03.2018/2P/5C