



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.03.2018

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.3041 of 2018

P.Prabhu

... Petitioner

-Vs-

State through

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

2. The Inspector of Police,
Omachikulam Police Station,
Madurai District.

3. The Inspector of Police,
Karimedu Police Station,
Madurai District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents not to harass the petitioner without following the due process of law.

For Petitioners : Mr.C.Susi Kumar

For Respondents : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl. Side).**ORDER**

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

2.Heard both sides.

3.The learned counsel for the petitioner has submitted that the petitioner herein has borrowed a sum of Rs.2,00,000/- from one Ayyavu for purchasing a car and subsequently, he has repaid the said amount with interest and the total amount sofar he has paid is Rs.8,00,000/- and even thereafter, the said Ayyavu is pressurizing the petitioner to pay some more amount and also lodged a complaint before the third respondent and based on that, the respondents are harassing the petitioner.



4. The learned Government Advocate (Crl.Side) has submitted that after receipt of the complaint, summons was sent to the petitioner by RPAD and after receiving the same, the petitioner did not appear and hence, enquiry is still pending.

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5. Since the petitioner has not appeared for enquiry, even after receipt of the summons, the third respondent need not wait for the appearance of the petitioner. He can enquire the complainant and if the enquiry discloses any cognizable offence, then, he has to register a case and proceed further in accordance with law. In stead of doing so, he should not unnecessarily harass the petitioner.

6. With the aforesaid observation, this petition is disposed of.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

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

VS
TE/KK/SAR-3 : 11/04/2018 : 2P/5C

Crl.O.P. (MD) No.3041 of 2018
13.03.2018