



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.4058 of 2018

J.Abraham Livingston

...Petitioner

-Vs-

1. The Superintendent of Police,
Nagercoil, Kanyakumari District.

2. The Inspector of Police,
Nesamony Nagar Police Station,
Nagercoil, Kanyakumari District.

3. K.Palani

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 2nd respondent not to harass the petitioner without any legally sustainable complaint.

For Petitioner : Mr.K.Krishna

For R1 & R2 : Mr.Prabhu Ramachandran

Government Advocate (Crl.Side)

ORDER

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

2.The learned counsel appearing for the petitioner has submitted that the petitioner was franchisee of M/s.Cryo-Save India Ltd Company from 1st November 2004 under an agreement with the company, signed by one K.Palani CEO., renewable at every year. But the said agreement was not renewed, the business was continued till the closure of the company on 10th October 2017. He further submitted that there are pending payments to be collected from the patients, by way of cheque and to be deposited in the company's name. But the Company is insisting the petitioner to pay the money, which is not collected by him. He further submitted that it is only the Company has to pay a commission of Rs.1,97,000/- to the petitioner. But, one Palani, on behalf of the company gave a false complaint before the second respondent and based on that the second respondent is harassing the petitioner.



3. The learned Government Advocate (Crl.side) has submitted that no complaint has been received against the petitioner herein and the petitioner was not called for any enquiry and hence the question of harassing the petitioner does not arise.

4. Recording the aforesaid submissions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagercoil, Kanyakumari District.
2. The Inspector of Police,
Nesamony Nagar Police Station,
Nagercoil, Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.K.KRISHNA, ADVOCATE IN SR No. 57413

DAS
TE/SKN-RSK/SAR-3 : 23/04/2018 : 2P/5C

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