



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.4237 of 2018

1.Sethuraman
2.Karpagam

... Petitioners

-Vs-

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

2.The Inspector of Police,
Anna Nagar Police Station,
Anna Nagar, Madurai.

3.Rajavallavan

...Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent not to harass the petitioners and their family members under the guise of enquiry without following due process of law based on representation of the petitioner dated 13.03.2018.

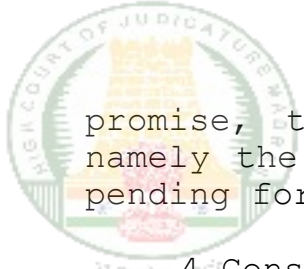
For Petitioners	: Mr.S.Muthukumar
For R-1 & R-2	: Mr.Prabu Ramachandran, Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed by the petitioners to direct the 2nd respondent not to harass the petitioners under the guise of enquiry.

2.The learned counsel appearing for the petitioners has submitted that the 3rd respondent herein borrowed a sum of Rs.1,50,000/- from the first petitioner and executed a document on 09.11.2017. He further submitted that since the 3rd respondent failed to repay the said amount, the first petitioner has sent a legal notice on 23.02.2018 by RPAD and the 3rd respondent has also received the said notice on 27.02.2018. Thereafter, he instigated his mother viz., Pitchaiammal, gave a false complaint on 13.03.2018 and based on the said complaint, the 2nd respondent is harassing the petitioners.

3.The learned Government Advocate (Crl.side) has submitted that one Pitchaiammal, who is the mother of the 3rd respondent gave a complaint against the petitioners herein stating that the petitioners have received a sum of Rs.92,000/- by giving false



promise, they will make arrangement for getting job to her son namely the third respondent herein and the said complaint is still pending for enquiry.

4. Considering the aforesaid submissions, the second respondent is directed to expedite the enquiry and if the enquiry reveals any cognizable offence, then he has to register a case and proceed further in accordance with law. Instead of doing so, he should not unnecessarily harass the petitioners.

5. With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai, Madurai District.
2. The Inspector of Police,
Anna Nagar Police Station,
Anna Nagar, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.Muthukumar, Advocate, SR.No. 58136

CRL.O.P.(MD)No.4237 of 2018
23.03.2018

das

AM/KKR/SAR 2/23.04.2018/2P/5C