



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.4344 of 2018

1.P.Thangapandian
2.R.Ramesh

... Petitioners

-vs-

1. The Superintendent of Police,
Thanjavur District.

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

3.K.Sudhakar

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioners.

For Petitioners : Mr.R.Maheswaran

For R-1 and R-2 : Mr.Prabu Ramachandran,
Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioners to direct the second respondent not to harass the petitioners.

2.The learned counsel appearing for the petitioners has submitted that the petitioners are doing a business of purchasing the used cars in auction and resale the same to others. He further submitted that the petitioners have purchased one lorry bearing registration No.TN59 BB 9948 for a sum of Rs.13,75,000/- and agreed to sell the same to the third respondent. In pursuance of the said agreement, the first petitioner received a sum of Rs.11,75,000/-. Subsequently, the owner of the said vehicle came forward to settle the amount and hence, the petitioners would not deliver the said vehicle to the third respondent.

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3.He further submitted that the third respondent came forward



to purchase another vehicle bearing registration No.TN. 52 E 4613 for a sum of Rs.14,20,000/- and for that, he has also paid some amount in advance. Thereafter, on 29.01.2018, the first petitioner transferred Rs.12,11,209/- to the Sundaram Finance Limited and the vehicle was delivered to the third respondent. Thereafter, the petitioners came to know that the third respondent gave a false complaint against the petitioners herein before the first respondent and the same was forwarded to the second respondent. The second respondent is compelling the petitioner to settle some amount to the third respondent. He further submitted that as on date, the petitioners are not liable to pay any amount to the third respondent.

4.The Government Advocate (Crl. Side) has submitted that the third respondent has lodged a complaint against the petitioners herein before the second respondent and the same is pending for enquiry.

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

6.With the aforesaid direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thanjavur District.
2. The Inspector of Police,
District Crime Branch,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.R.Maheswaran , Advocate in SR No. 57763

cp

AE/SV MMS/SAR3/03.05.2018/2P/5C