



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.01.2018

CORAM
THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P. (MD) No.666 of 2018

A.Veeraiah

... Petitioner

-Vs-

State through

1.The Commissioner of Police,
Madurai City,
Madurai-7.

2.The Inspector of Police (L& O),
South Gate Police Station,
Madurai City.

3.B.Anand

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent not to interfere into the civil dispute and thereby not to harass the petitioner and his family members under the guise of enquiry.

For Petitioner : Mr.P.Gunasekaran

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

For R3 : No appearance

O R D E R

This petition has been filed by the petitioner to direct the second respondent not to harass the petitioner under the guise of enquiry based on the complaint given by the third respondent.

2.The learned counsel for the petitioner has submitted that the third respondent borrowed a sum of Rs.80,000/- from the petitioner on 20.11.2015 and executed a promissory note. Since the third respondent has not repaid the said amount, the petitioner has filed a Civil Suit in O.S.No.9 of 2017 on the file of the Principal District Munsif, Madurai and the same is still pending. He further submitted that in order to avoid to repay the amount, the third respondent gave a false complaint before the second respondent in



the year 2017, stating that the petitioner is charging exorbitant interest and after enquiry the said complaint was closed. Thereafter, again the third respondent gave another complaint before the first respondent and the same has been forwarded to the second respondent. Under the guise of enquiry, the second respondent is frequently calling upon the petitioner and harassing him.

3.The learned Government Advocate (Crl.Side) has submitted that since the third respondent gave a complaint before the first respondent and the same has been forwarded to the second respondent, the petitioner was called upon for enquiry but he was not subjected to any harassment.

4.Admittedly, a Civil Suit is pending for recovery of the amount and that being so, it is not open to the third respondent to lodge complaint one after another. Hence, the second respondent is directed to dispose of the said complaint in accordance with law without harassing the petitioner.

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

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Madurai City,
Madurai-7.

2.The Inspector of Police (L& O),
South Gate Police Station,
Madurai City.

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

+1cc to Mr.P.GUNASEKARAN,Advocate,SR. 42599

CP

KK/JC/SAR 2/02.02.2018/ 2P- 5C/

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