



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2018

CORAM

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THE HON'BLE MR.JUSTICE P. RAJAMANICKAM

Crl.O.P. (MD) No.913 of 2018

R. Ramesh

... Petitioner

-Vs-

State through

1.The Superintendant of Police,
Theni District, Theni.2.The Deputy Superintendant of Police,
District Crime Branch,
Office of the Superintendant of Police,
Theni, Theni District.3.The Deputy Superintendant of Police,
Uthamapalayam, Theni District.4.The Inspector of Police,
District Crime Branch, Theni.5.The Inspector of Police (Circle),
Uthamapalayam Police Station,
Theni District.6.The Sub Inspector of Police,
District Crime Branch,
Theni.7.The Sub Inspector of Police,
Odaipatti Police Station,
Theni District.

8.Jeyalakshmi

9.D.Pandi

... Respondents

Prayer: This Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to direct the respondents 1 to 7 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 RRs 1 to 7 : Mr.Prabhu Ramachandran
Government Advocate (Crl. Side)

**O R D E R**

This petition has been filed to direct the respondent nos. 1 to 7 not to harass the petitioner and his family members under the guise of enquiry, based upon the complaint given by the respondent nos. 8 and 9.

2. The learned counsel appearing for the petitioner has submitted that the respondent nos. 8 and 9 borrowed a sum of Rs.20,00,000/- from the petitioner on 14.07.2016 and executed a registered mortgage deed. He further submitted that even prior to the said mortgage, the respondent nos. 8 and 9 entered into an agreement on 02.03.2015 itself, after receiving a sum of Rs.20,00,000/- and also handed over the possession of the property. But, now, without repaying the said amount, the respondent nos. 8

and 9 gave a false complaint before the respondent nos. 1 to 7 and based on the said complaint, the respondent nos. 1 to 7 are harassing the petitioner.

3. The learned Government Advocate (Crl. Side) appearing for the respondent nos. 1 to 7 submitted that the 8th respondent gave three complaints before the first respondent and the same have been forwarded to the 7th respondent herein. He further submitted that the petitioner is not co-operating for enquiry and hence, he requests this Court to issue order for appearance of the petitioner for enquiry.

4. Considering the aforesaid submissions, the petitioner is directed to appear before the 7th respondent for enquiry and on such appearance of the petitioner, the second respondent is directed to conduct the enquiry and if the enquiry reveals any cognizable offence, then, he can register the case and proceed in accordance with law. In case, the enquiry reveals only a civil dispute then, he has to direct the parties to approach the civil court to get appropriate remedy.

5. With the above observation, the Criminal Original Petition is disposed of.

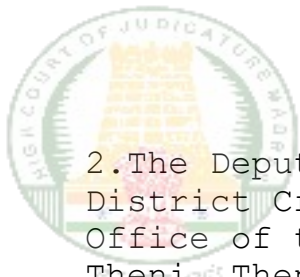
Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

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



2.The Deputy Superintendant of Police,
District Crime Branch,
Office of the Superintendant of Police,
Theni, Theni District.

3.The Deputy Superintendant of Police,
Uthamapalayam,
Theni District.

4.The Inspector of Police,
District Crime Branch,
Theni.

5.The Inspector of Police (Circle),
Uthamapalayam Police Station,
Theni District.

6.The Sub Inspector of Police,
District Crime Branch,
Theni.

7.The Sub Inspector of Police,
Odaipatti Police Station,
Theni District.

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

+1cc to M/S.P.GUNASEKARAN, Advocate SR.No.43700.

Cr1.O.P.(MD) No.913 of 2018
22.01.2018

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