



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

WEB COPY

Cr1.O.P.(MD).No.6643 of 2018

1.B. Sureshkannan

2.Habibun Nisha

: Petitioners

Vs.

State rep. by

1.The Superintendent of Police,
Sivagangai District.

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

: Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., for issuing a direction to the second respondent not to interfere into the civil dispute and further not to harass the petitioners under the guise of enquiry.

For Petitioners

: Mr. T. Amijadkhan

For respondents

: Mr. K.K. Ramakrishnan

Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed for issuing a direction to the second respondent not to interfere into the civil dispute and further not to harass the petitioners under the guise of enquiry.

2. The learned counsel appearing for the petitioners submitted that the defacto complainant himself stated that due to non-payment of loan amount, the matter was referred to Arbitrator. Thereafter, the defacto complainant has given a criminal complaint before the respondent Police, on the very same date, based on which, the second respondent is harassing the petitioners under the guise of enquiry. He further submitted that the petitioners are ready to co-operate for an enquiry and place the relevant records.

3. The learned Additional Public Persecutor appearing for the respondents Police would submit that if the petitioners appear for an enquiry and place the relevant documents, the enquiry will be conducted in accordance with law.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Considering the said submissions made by the learned



counsel appearing on either side, this Court is inclined to pass the following direction:

"The second respondent Police shall not harass the petitioners under the guise of the enquiry. Even if the petitioners require for an enquiry in connection with the criminal complaint, the same shall be done, after issuing summons to the petitioners."

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

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Sivagangai District.
2. The Inspector of Police,
District Crime Branch,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Section Officer,
Criminal Section, (2 Copies)
Madurai Bench of Madras High Court,
Madurai

+1cc to Mr.J.M.HASSANULBAZARI Advocate in SR. No.63793

KK/SV MMS/SAR 3/17.05.2018/2P/7C

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