



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2018

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD)No.9383 of 2018

A.Arulmani

... Petitioner

-vs-

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

2.The Inspector of Police,
Alankulam Police Station,
Alankulam, Tirunelveli District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of the Criminal Procedure Code, to direct the second respondent to register a case on the complaint dated 10.05.2018 given by the petitioner.

For Petitioner : Mr.J.Ashok
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

O R D E R

This petition has been filed praying for a direction to the second respondent to register a case on the complaint of the petitioner dated 10.05.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents.

3.The learned counsel appearing for the petitioner submitted that an offence under Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 is made out in the petitioner's complaint. But the respondent police has not registered a case on the complaint of the petitioner. Hence, this petition has been filed.



4.Per contra, the learned Government Advocate (Crl.side) submitted that the petitioner's complaint was enquired into by the respondent police and during enquiry, it is found that the case is civil in nature. Further a suit in O.S.No.112 of 2018 is pending before the Sub Court, Tenkasi in respect of the dispute between the parties. Hence, both parties are advised to go before the civil Court, seeking appropriate remedy.

5.Considering the fact that in respect of the dispute between the parties already a suit is pending before the Sub Court, Tenkasi, no order can be passed in the present petition. Hence, this petition is dismissed. However, the petitioner is at liberty to work out his remedy before the civil forum in the manner known to law.

Sd/
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Alankulam Police Station,
Alankulam,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.J.ASHOK, Advocate, SR.No. 67652

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11.06.2018

LS/MJ
KK/SV MMS/SAR-2/25.06.2018/2P-5C/