



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE. N.SESHASAYEE

Crl.O.P.[MD].No.3791 of 2019

WEB COPY

S.Antony Raj

: Petitioner

/Vs./

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

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

3.N.Ramadoss

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent not to harass the petitioner and his family members.

For Petitioner : Mr.S.M.Mohan Gandhi

For R-1 & R-2 : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the 2nd respondent not to harass the petitioner and his family members.

2. Heard the learned counsel appearing for the petitioner and learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioner submitted that at the instance of the complaint preferred by the third respondent, the second respondent is harassing the petitioner. He further submitted that there is a dispute purely civil in nature.

4. The learned Additional Public Prosecutor submitted that the complaint involving the money dispute between the petitioner and the third respondent is pending enquiry with the second respondent and that summons have been issued to the petitioner, to which he has responded. He added that the respondent police have neither harassed the petitioner nor intended to harass him.

5. The submission of the learned Additional Public Prosecutor is recorded. If the second respondent is instructed that unless the allegation in the complaint discloses *prima facie* commission of offence, he should step aside. If at all the presence of the petitioner is required by the respondent police for any preliminary enquiry, the same shall be done by issuing fresh summons under



Section 41 A Cr.P.C., mentioning a specific date and time for enquiry. The petitioner is also directed to co-operate with the enquiry. During enquiry, there shall not be harassment to the petitioner.

6. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (WRITS)

// True Copy //

Sub Assistant Registrar

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To

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

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

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

1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-53750[F] dated 13/03/2019)

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DS/ /SAR- (28.03.2019) 2P 5C