



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.03.2019**

CORAM

WEB COPY

THE HON'BLE **MR. JUSTICE N. SESHASAYEE**

CrI.O.P. (MD) No. 4279 of 2019

V.S. Ravichandran,
Director,
Briar Knoll Mills Pvt. Ltd.,
T. Pudupatti, Madurai District.

... Petitioner

-Vs-

1. The Superintendent of Police,
Madurai District.
2. The Inspector of Police,
District Crime Branch, Madurai District.

3 .B. Saravanan

... Respondents

Prayer: Criminal Original petition - filed under Section 482 of Code of Criminal Procedure, to direct the 2nd respondent and his personnel not to harass the petitioner in the guise of criminal complaint in a disputed commercial transaction of defective supply and recovery involving a civil dispute.

For Petitioner : Mr. V. Janakiramulu

For R-1 & R-2 : Mr. V. Neelakandan
Additional Public Prosecutor

ORDER

This Criminal Original petition has been filed to direct the 2nd respondent and his personnel not to harass the petitioner in the guise of criminal complaint in a disputed commercial transaction of defective supply and recovery involving a civil dispute.

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

3. The learned counsel appearing for the petitioner submitted that the petitioner complains of harassment by the second respondent presumably at the instance of the third respondent. He further submits that the dispute relates to supply of yarn by the third respondent to the petitioner's company, of which the petitioner is



one of the Directors.

4. The learned Additional Public Prosecutor submitted that FIR in Crime No.43 of 2018 has also been registered. The respondent police have neither harassed the petitioner nor intended to harass him.

5. The said statement of the learned Additional Public Prosecutor is recorded. If the second respondent intends to hold any preliminary enquiry on the complaint, the same shall be done only on summons under Section 41 A Cr.P.C., mentioning a specific date and time for enquiry and also giving reasonable time for him to travel to the venue of such enquiry. In the eventuality receiving the summons, the petitioner is required to appear and provide all the material particulars to the second respondent. During such enquiry / interrogation, the petitioner shall not be harassed.

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

sd/
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District.
2. The Inspector of Police,
District Crime Branch,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.JANAKIRAMULU, Advocate (SR-56236[F] dated 25/03/2019)

sm
AE/22.04.2019/2P/5C

Order made in
Crl.O.P. (MD) No.4279 of 2019
21.03.2019