

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 06.06.2019****CORAM****THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN****CRL OP (MD) .No. 7659 of 2019****WEB COPY**

M. Thangarathinam @ Eswari

... Petitioner

Vs.

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Kanyakumari District.

2. The Inspector of Police,
Eraniel Police Station,
Nagercoil, Kanyakumari District.

3. Elango

... Respondents

PRAYER: This Petition filed under Section 482 of Criminal Procedure Code to direct the 2nd respondent not to harass the petitioner in the guise of enquiry.

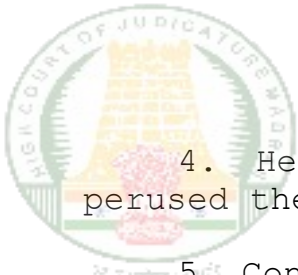
For Petitioners : Mr.M. Maharaja

For Respondents : Mr. K.Suyambulinga Bharathi
Government Advocate (Crl. Side)**ORDER**

This Criminal Original Petition has been filed seeking direction to the 2nd respondent not to harass the petitioner under the guise of enquiry.

2. The learned counsel appearing for the petitioner submitted that the petitioner has borrowed money from the third respondent for recovery of the same, the third respondent said to have been lodged a complaint before the second respondent. Thereafter, the petitioner also lodged a complaint against the third respondent. Based on the complaint given by the third respondent, the second respondent has been harassing the petitioner under the guise of enquiry. Hence, he has filed the present petition.

3. The learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2, on instructions, submitted that the third respondent has given a complaint against the petitioner on the ground that he borrowed money and failed to repay the same. Thereafter, the petitioner has also given a complaint against the third respondent alleging that he is demanding exorbitant interest. He further submitted that the petitioner has agreed to pay a sum of Rs.3,00,000/- to the third respondent, but, he has failed to pay the amount and now, the enquiry is pending.



4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. Considering the facts and circumstances of the case and also considering the fact that the matter is relating to money dispute, the police cannot interfere in the same. Therefore, the second police is directed not to harass the petitioner.

6. This Criminal Original Petition is disposed of accordingly.

sd/
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Kanyakumari District.
2. The Inspector of Police,
Eraniel Police Station,
Nagercoil, Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.MAHARAJAN, Advocate (SR-67451[F] dated 07/06/2019)

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trp

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