

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Sixth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

CRL OP(MD) No.3423 of 2019

R.SETHU VINOTH

... PETITIONER

Vs

1 THE SUPERINTENDENT OF POLICE,
MADURAI DISTRICT,
MADURAI

2 THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI.

3 MUNIYASAMY

.... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the 2nd respondent not to harass the petitioner, his father Mr.Radha Krishnan and his brother Mr.Prashanth illegally based upon a false complaint lodged by Mr.Muniyasamy and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.M.JERIN MATHEW Advocate for the petitioner and of MR.A.P.G.OHM CHAIRMAN PRABHU, Government Advocate (Criminal Side) for R1 and R2, the court made the following order:-

The present petition is filed to direct the respondents 1 and 2 to provide adequate police protection to the petitioner and her son's life and limb based on the petitioner's representation dated 15.02.2019 and investigate the matter.

2.The learned Counsel for the petitioner submitted that on a complaint preferred by the third respondent, the second respondent is harassing the petitioner. Elaborating his case, the learned Counsel further submitted that the petitioner's father had obtained some money from certain third person, that her father has suffered a paralytic stroke and is being treated. In the meantime, the person, who had advanced amount to the petitioner's father, has set up a third respondent to prefer a complaint, as if the third respondent

had given the sum and the said complaint was preferred against the petitioner's father, the petitioner and her younger brother.

3.The learned Counsel for the petitioner further added that the petitioner does not dispute the fact that some amounts are due with the other persons, who had actually advanced amount. He further added that the matter would be amicably settled, if the parties are permitted for an effective mediation. The said statement is recorded.

4.Inasmuch as the petitioner an evince interest to resolve the outstanding dispute and to avoid unnecessary litigations, this Court directs private notice to third respondent to expose the possibility of resolving the matter through Mediation, returnable by 03.04.2019.

Till such, the police should not interfere with the matter for the present.

5.Call the matter on 03.04.2019.

sd/-
06/03/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SUPERINTENDENT OF POLICE,
MADURAI DISTRICT
- 2 THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION, MADURAI
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.JERIN MATHEW Advocate SR.No.4391

ORDER
IN
CRL OP(MD) No.3423 of 2019
Date :06/03/2019

MSI/PN/SAR 2/14.03.2019/2P-5C