



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2019

WEB COPY

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THE HONOURABLE MR. JUSTICE **N.SESHASAYEE**

Crl.O.P. (MD) Nos.4526, 4546 and 4571 of 2019

In Crl.O.P(MD)No.4526 of 2019:

Saravanan

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City.

2.The Assistant Commissioner of Police,
Vilakkauthoon,
Madurai City.

3.The Inspector of Police,
Jaihind puram Police Station,
Madurai.

4.Muthupandi

5.Pandi Priya

6.Devi

7.Valarmathi Sekar

8.Sankaranarayanan

9.Sabarikumar

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second and third respondents herein not to harass the petitioner in any manner except due process of law.

For Petitioner : Mr.P.Venkatasubramanian

For R1 to R3 : Mr.V.Neelakandan

Additional Public Prosecutor

In Crl.O.P(MD)No.4546 of 2019:

Amirtharajan

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City.

2.The Assistant Commissioner of Police,
Vilakkauthoon,
Madurai City.



3.The Inspector of Police,
South Gate Police Station,
Madurai.

4.Muthupandi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second and third respondents herein not to harass the petitioner in any manner except due process of law.

For Petitioner: Mr.P.Venkatasubramanian
For R1 to R3 : Mr.V.Neelakandan
Additional Public Prosecutor

In Crl.O.P(MD)No.4571 of 2019:

Amirtharajan

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City.

2.The Assistant Commissioner of Police,
Vilakkauthoon,
Madurai City.

3.The Inspector of Police,
South Gate Police Station,
Madurai.

4.Pandikumari

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second and third respondents herein not to harass the petitioner in any manner except due process of law.

For Petitioner : Mr.P.Venkatasubramanian
For R1 to R3 : Mr.V.Neelakandan
Addiitonal Public Prosecutor

C O M M O N O R D E R

The petitioner in Crl.O.P(MD)No.4526 of 2019 is the Area Development Manager of M/s Agro Indus Credit, South Gate Branch, Madurai, a private financial institution, of which, the petitioner in Crl.O.P(MD) Nos. 4546 and 4571 of 2017 is the Branch Manager.

<https://hcservices.courts.gov.in/hcservices> According to the learned counsel appearing for the petitioners, the petitioners face harassment from the second and third respondents presumably at the instance of the private



respondents in each of the cases. The learned counsel added that the private respondents herein have obtained gold loan, but, later on audit by the petitioner in Crl.O.P(MD)No.4526 of 2019 it came to light that the erstwhile Branch Manager of South Gate Branch has played huge fraud, as a result of which, a case was registered against him and the same is now pending investigation in Crime No. 413 of 2018 for the offences under Sections 406, 420 IPC. He also added that the present petitioners are merely employees of the Institution and they may not be harassed.

3. The learned Additional Public Prosecutor appearing for the official respondents submitted that private respondents in Crl.O.P (MD) No.4526 of 2019 have preferred a complaint, which is now pending enquiry in CSR No.357 of 2018. Hee also submitted that there is no harassment by the police officials at any time.

4. Suffice to say for the present that if any of the police officials require to interrogate or hold enquiry preliminarily, the same shall be done strictly on summons under Section 41(A) Cr.P.C. During such enquiry, the petitioners shall not be harassed.

5. With the above direction, these Criminal Original Petitions are disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Commissioner of Police,
Madurai City.

2.The Assistant Commissioner of Police,
Vilakkauthoon,
Madurai City.

3.The Inspector of Police,
Jaihindipuram Police Station,
Madurai.

4.The Inspector of Police,
South Gate Police Station,
Madurai.



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

+3 CC to M/s.P.VENKATA SUBRAMANIAN, Advocate (SR-
57285,57284,57286[F] dated 28/03/2019)

cm

Cr1.O.P.(MD)Nos.4526, 4546 and 4571 of 2019
27.03.2019

KM/(10.04.2019) 4P 9C