



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 10.07.2019

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P. (MD) .No.8853 of 2019

1. Suresh

2. Athilakshmi

... Petitioner

-Vs-

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

2. The Deputy Superintendent of Police,
Kalaiyarkovil Taluk,
Sivagangai District

3.The Inspector of Police,
District Crime Branch,
Sivagangai District.

4. Arun,

5. Neethithevan

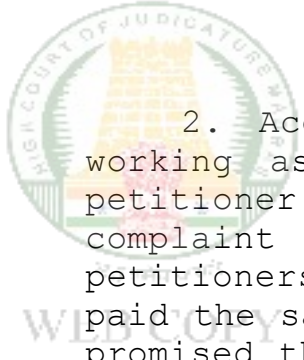
... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the third respondent not to harass the petitioners under the guise of enquiry and also pass appropriate orders.

For Petitioners : Mr.L.Chandrasekaran
For R1 to R3 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

O R D E R

This petition has been filed seeking a direction to the third respondent not to harass the petitioners under the guise of enquiry.
<https://hcservices.ecourts.gov.in/hcservices/>



2. According to the petitioners, the first petitioner was working as a teacher in the Government School and the second petitioner is the wife of the first petitioner. Now, based on the complaint given by the respondents 4 and 5 alleging that the petitioners have collected money from so many general public and paid the same in Capital Wallet Trading Solutions, Coimbatore and promised that they return the money with exorbitant interest, but subsequently, they failed to do so. Based on the complaint, now the third respondent police harassing the petitioners. Hence, the present criminal original petition has been filed.

3. Today, the learned Government Advocate (Crl.side) on instructions would submit that based on the complaint given by the respondents 4 and 5, a crime has been registered against the first petitioner and two others in Crime No.22 of 2019 for the offences under Sections 406, 409, 420, 120(b) and 506(ii) I.P.C. In the above circumstances, in order to escape from the liability, the present petition has been filed.

4. Considering the fact that the F.I.R. has been registered against the first petitioner and two others for various offences as mentioned above, the investigation is pending. The first petitioner is arrayed as an accused in the above said crime, the relief sought for by the petitioners cannot be granted. Accordingly, this criminal original petition is dismissed. However, considering the fact that the second petitioner is a lady, who is the wife of the first petitioner and she is not arrayed as accused, the third respondent police is directed not to harass the second petitioner.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Deputy Superintendent of Police,
Kalaiyarkovil Taluk,
Sivagangai District



3.The Inspector of Police,
District Crime Branch,
Sivagangai District.

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

+1cc to Mr.L.Chandrasekaran, Advocate in SR.No.74510

Crl.O.P. (MD) .No.8853 of 2019
10.07.2019

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