



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL OP (MD) .No. 10368 of 2019

WEB COPY
Mokkasamy

.... Petitioner

Vs.

1.The Superintendent of Police
Theni, Theni District

2.The Inspector of Police
District Crime Branch
Theni, Theni District

3.Sebasthiar

.....Respondents

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

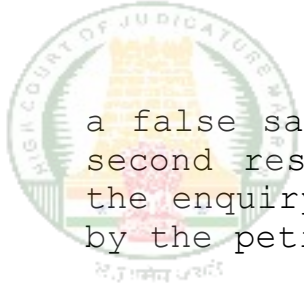
For Petitioner	: Mr.S.Sundarapandian
For Respondents 1 & 2	: Mr.K.Suyambulinga Bharathi
	Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the respondent to expedite the investigation in Crime No.51 of 2018 and to file a final report within a time frame fixed by this Court.

2. The grievance of the petitioner is that he has entered into a sale agreement with the third respondent herein. Later on, the third respondent has failed to perform his part of contract, hence the petitioner issued a legal notice to the third respondent seeking to execute the sale deed. At that time, the third respondent said to have filed a complaint before the second respondent police alleging that the petitioner has demanded exorbitant interest. Based on that complaint, the second respondent is harassing the petitioner. Hence, the present Criminal Original Petition has been filed.

3.Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl.Side) appearing for the respondents 1 and 2, on instructions, would submit that the third respondent has given a complaint against the petitioner alleging that he has borrowed some money from the petitioner and most part of the amount has been repaid, but the petitioner demanding exorbitant interest and also created



a false sale agreement. Now, an enquiry is being conducted by the second respondent police, but the petitioner did not appear for the enquiry. At this juncture, the present petition has been filed by the petitioner.

4.I have heard the learned counsel appearing on either side and also perused the materials available on record.

5.Considering the fact that an enquiry is pending before the second respondent police, the petitioner is directed to appear before him for enquiry. During enquiry, the second respondent police is directed not to harass the petitioner.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police
Theni, Theni District

2.The Inspector of Police
District Crime Branch
Theni, Theni District

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

+1 CC to Mr.S.SUNDARAPANDIAN, Advocate SR-77129.

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