



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.4118 of 2020

Tamil Ganesan

... Petitioner

Vs

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Central Crime Branch,
Madurai City,
Madurai.

3.The Inspector of Police,
Central Crime Branch,
Madurai City,
Madurai.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the 2nd and 3rd respondents not to harass the petitioner unnecessarily in the civil dispute based on the sale agreement dated 02.11.2015 under the guise of the enquiry.

For Petitioner : Mr.M.N.Rajapanth
For R1 to R3 : Mr.A.Robinson
Government Advocate (Crl.side)
For Intervenor : Mr.R.Gandhi

ORDER

The petitioner herein alleges harassment at the hands of the respondents 2 and 3.

2.Heard the learned counsel appearing for the petitioner, learned Government Advocate (Crl.side) and also the learned counsel appearing for the intervenor.

3.The intervenor's counsel would contend that the property belonging to a Temple coming under the HR&CE Department was projected as the personal property of Tamil Ganesan and a sum of Rs.10,00,000/- was received as advance. When the true character of the land became known, the intervenor wanted the money back. Tamil Ganesan declined to return the money. It appears that one Ramakrishnan acted as intermediary. In this regard, the intervenor lodged a complaint before the Central Crime Branch, Madurai City.



4.The specific allegation of the intervenor is that he has been cheated by the petitioner herein. In this regard, the respondents 2 and 3 have summoned the petitioner for enquiry. This cannot be construed as an act of harassment.

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5.The learned Government Advocate (Crl.side) submitted that when summons were issued calling upon the petitioner to attend enquiry, this criminal original petition has been filed.

6.Considering the nature of allegations made in this petition, beyond directing the third respondent to act in accordance with law, I am not inclined to grant relief. With this direction, this criminal original petition stands dismissed

Sd/-

Assistant Registrar (CS-

/ True Copy /

Sub Assistant Registrar(CS-)

To

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Central Crime Branch,
Madurai City,
Madurai.

3.The Inspector of Police,
Central Crime Branch,
Madurai City,
Madurai.

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

+1 CC to M/s.R.GANDHI, Advocate (SR-10430[F] dated 06/03/2020)

+1 CC to M/s.RAJAPANTH, Advocate (SR-10474[F] dated 06/03/2020)

+1 CC to M/s.R.GANDHI, Advocate (SR-10523[F] dated 09/03/2020)

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