



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Cr1.O.P (MD)No.6900 of 2020

D.Surya

:Petitioner

Vs

1.The Commissioner of Police
Commissioner Office
Madurai City

2. The Inspector of Police
Law and Order
Jaihindipuram Police Station
Madurai City

: Respondents

3.Ramesh

:Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the 2nd respondent not to harass the petitioner without following the due process of law.

For Petitioner
For R1 & R2

: Mr.J.Devasenar
: Mr.R.Anandharaj
Additional Public Prosecutor

ORDER

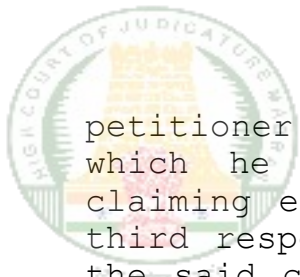
This petition has been filed for a direction to the 2nd respondent not to harass the petitioner without following the due process of law.

2.The grievance of the petitioner is that without having any material, at the instance of the third respondent, the respondent police is harassing the petitioner under the guise of enquiry.

3.The learned counsel for the petitioner submits that the petitioner has given hand loan to the tune of Rs.87,000/- to the third respondent and the transaction was done online only. The amount was transferred to the third respondent on various dates i.e. from the month of November 2019 to till March 2020. In order to evade the payment, the third respondent with the help of the second respondent police, harassing the petitioner. Hence, the petitioner is before this Court.

4.The learned Additional Public Prosecutor, on instructions, submits that the third respondent lodged a complaint that the

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petitioner collected exorbitant interest for the loan amount for which he deposited jewels as security. The petitioner who is claiming exorbitant interest detaining the jewels, even though the third respondent has paid the loan amount. He further submits that the said complaint of the third respondent was treated as petition enquiry in C.S.R.No.273 of 2020 and the complaint itself was received only on 23.06.2020. The petitioner without co-operating for the enquiry, has approached this Court by way of this petition to evade the enquiry.

5.Heard, Mr.J.Devasenar, learned counsel for the petitioner and Mr.R.Anandharaj, learned Additional Public Prosecutor appearing for the State.

6.Considering the facts and circumstances of the case and also considering the fact that the complaint pertains to exorbitant interest, this Court is not inclined to grant the relief as sought for by the petitioner. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa/vsm

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Commissioner of Police
Commissioner Office
Madurai City
2. The Inspector of Police
Law and Order
Jaihindipuram Police Station
Madurai City
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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