



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P. (MD)No.12821 of 2020

WEB COPY

Inbavalli

... Petitioner

Vs.

1.The Superintendent of Police
Pudukkottai District
Pudukkottai

2.The Inspector of Police
District Crime Branch
Pudukkottai District

...Complainants /Respondents 1 & 2

3.Karthikeyan

...Defacto Complainant/3rd Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to harass the petitioner on the basis of the petitioner's representation dated 03.11.2020.

For Petitioner : Ms.A.Banumathy

For R1 & R2 : Mr.V.Neelakandan,

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the second respondent not to harass the petitioner on the basis of the petitioner's representation dated 03.11.2020.

2.The learned counsel for the petitioner would submit that the petitioner and the third respondent along with three others manufacturing the napkin by the hand machine. Unfortunately, the business was not successfully going and financial loss was occurred in the business. In such circumstances, the third respondent and other three persons are demanded money from the petitioner though the petitioner also aggrieved party. Thereafter, the third respondent lodged a false complaint against the petitioner. Based on the complaint, the second respondent police is harassing the petitioner under the guise of enquiry. Then, the petitioner made a representation dated 03.11.2020 to the first respondent. So far, no action has been taken by the first respondent. Hence, the present petition.



3.The learned Additional Public Prosecutor, on instructions, would submit that there is an enquiry pending against the petitioner.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

5.Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the second respondent to follow the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** while enquiring the petitioner.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Msa

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 Superintendent of Police
Pudukkottai District
Pudukkottai

2.The Inspector of Police
District Crime Branch
Pudukkottai District

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

Crl.O.P. (MD)No.12821 of 2020
11.11.2020

SJ(CO)

KM (26.11.2020) 2P 4C