



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.12995 of 2020

Kokiladevi

... Petitioner

Vs.

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

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

3.Yogaraja

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent not to interfere with the civil dispute between the petitioner and the 3rd respondent under the guise of any enquiry.

For Petitioner : Mr.R.Pon Karthikeyan

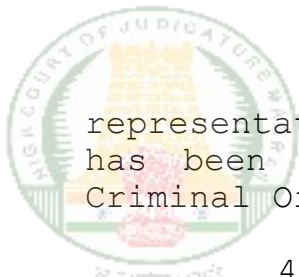
For R1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor.

ORDER

This petition has been filed to direct the second respondent not to interfere with the civil dispute between the petitioner and the 3rd respondent under the guise of any enquiry.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Criminal Side) for the official respondents.

3.The learned counsel for the petitioner would submit that the petitioner and her husband obtained a loan of Rs.10 Lakhs at the rate of 1.5% interest from the third respondent. The petitioner is prompt in payment of monthly interest. Thereafter, the 3rd respondent approached the petitioner and insisted to settle the entire outstanding principal amount without giving time. Further, the 3rd respondent is threatening the petitioner to settle the petitioner's property in his favour. Hence, the petitioner has made



representation to the 1st respondent on 05.11.2020. Since no action has been taken, the petitioner is before this Court with this Criminal Original Petition.

4. When the petition is taken up for hearing, the learned Additional Public Prosecutor, on instructions, would submit the enquiry is pending.

5. Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the first 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)

vrn

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,
Thoothukudi District,
Thoothukudi.

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

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

+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-22005[F] dated 18/11/2020)

Cr1.O.P. (MD) No.12995 of 2020

18.11.2020