



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.11.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

Crl.O.P. (MD)No.13611 of 2020

1.Athijath Saliha

2.Kamila Beevi

3.Munavar Fathima

4.Ahamed Hussein

5.N.Asif

... Petitioners

Vs.

1.State represented by
The Superintendent of Police
Ramanathapuram District

2.The Assistant Superintendent of Police
Ramanathapuram District

3.The Deputy Superintendent of Police
District Crime Branch
Ramanathapuram

4.The Inspector of Police
District Crime Branch
Ramanathapuram

5.Mr.Gunasekaran
The Inspector of Police
District Crime Branch
Ramanathapuram

6.The Sub Inspector of Police
District Crime Branch
Ramanathapuram

7.K.M.Syed Ibrahim

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 3 to 6 not to harass the petitioners under the guise of enquiry and further not to conduct Kangaroo Court to settle the money dispute which is pending for investigation in Crime No.10 of 2020 on the file of the third respondent police.

For Petitioners
For R1 to R4

: Mr.J.M.Hassanul Bazari
: Mr.V.Neelakandan,
Additional Public Prosecutor



O R D E R

This petition has been filed to direct the respondents 3 to 6 not to harass the petitioners under the guise of enquiry and further not to conduct Kangaroo Court to settle the money dispute which is pending for investigation in Crime No.10 of 2020 on the file of the third respondent police.

2.The learned counsel for the petitioners would submit that due to the money dispute between the petitioners and the seventh respondent, the seventh respondent lodged a complaint against the petitioners. Based on the complaint, the respondent police registered a case in Crime No.10 of 2020 for the offence under Section 420 I.P.C. He further submitted that the offence is of the year 2019. Accused No.2 in this case was arrested and released on bail. The petitioners have also obtained the anticipatory bail. The grievance of the petitioners is that the respondent police is harassing the petitioners under the guise of enquiry and insisting them to settle the amount in dispute. Hence, the present petition.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 4, on instructions, would submit that based on the complaint, the petitioners were only called for an enquiry and they have not been harassed by the respondents/police.

4.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents/Police.

5.Whatever might be the circumstances, the respondent police are directed not to harass the petitioners to settle the amount. The respondent police further directed 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 petitioners.

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

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2021

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Superintendent of Police
Ramanathapuram District

2.The Assistant Superintendent of Police
Ramanathapuram District

3.The Deputy Superintendent of Police
District Crime Branch
Ramanathapuram

4.The Inspector of Police
District Crime Branch
Ramanathapuram

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

Crl.O.P. (MD) No.13611 of 2020
30.11.2020

CK(CO)

KB(08.01.2021) 3P 6C