



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P. (MD)No.14969 of 2020

WEB COPY

Arunachalam

:Petitioner

Vs.

1.The Inspector of Police,
District Crime Branch,
Thanjavur District.

2.Nagarajan

:Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the first respondent police not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.P.T.Thiagaraj
For R1 : Mr.V.Neelakandan
Additional Public Prosecutor.

ORDER

This petition has been filed to direct the first respondent police not to harass the petitioner in the guise of 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 defacto complainant preferred a complaint before the first respondent police alleging that the petitioner on false promise of getting a job in foreign, borrowed a sum of Rs.3,30,000/- and thereafter, the petitioner failed to get a job in foreign and also not returned the money. The allegation set out in the complaint is false. He would further submit that based on the complaint, the first respondent unnecessarily is harassing the petitioner and also threatened him with dire consequences. Hence, this petition.

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

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



respondents 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 (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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 Inspector of Police,
District Crime Branch,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.14969 of 2020
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MJ(CO)
KK(08.01.2021) 2P 3C