

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.11321 OF 2021

V.P.Periyasamy

... Petitioner

Versus

State by

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

2. The Inspector of Police,
Mulanoor Police Station,
Dharapuram Taluk,
Tiruppur District.

... Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents not to harass the petitioner and his family members in the guise of enquiry without following due process of law.

For Petitioner : Mr.N.Ponraj

For Respondents: Mr.A.Damodaran,
Government Advocate (Crl. Side)

सत्यमेव जयते
ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent not to harass the petitioner and his family members under the guise of enquiry.

2.The learned counsel for the petitioner submitted that the petitioner was running a Poultry Firm and he was having business relationship with one Ramakrishnan. The said Ramakrishnan supplied poultry feeds to the petitioner's firm. Since there was some dispute in recovery of dues, the said Ramakrishnan has lodged a false complaint against the petitioner and also

attempted to encroach upon the property, for which the petitioner lodged a complaint and C.S.R.No.44 of 2021 was registered against Ramakrishnan. After enquiry, C.S.R.No.44 of 2021 was closed and the complaint of Ramakrishnan kept pending in C.S.R.No.43 of 2021. During enquiry in C.S.R.No.43 of 2021, the petitioner was forced to settle the business dues to Ramakrishnan.

3.The learned Government Advocate (Crl. Side) appearing on behalf of the respondent Police submitted that the petitioner was running Poultry Firm. One Ramakrishnan supplied poultry feeds to the petitioner's firm and the petitioner has due of Rs.21 lakhs. Further the petitioner had received Rs.30 lakhs from Ramakrishnan on the promise that he would make loan for one crore. Thereafter, he failed to return the amount and cheated Ramakrishnan to the tune of Rs.51 lakhs and the complaint was lodged. The petitioner was called for enquiry in C.S.R.No.43 of 2021. Though the petitioner promised to produce the documents and materials during enquiry, he failed to do so, on the other hand, he approached this Court.

4.On considering the rival submissions and on perusal of the materials, this Court directs the petitioner to appear before the 2nd respondent Police on 07.07.2021 and thereafter, if needed for enquiry. The 2nd respondent Police is directed to conclude the enquiry within a period of two weeks from 07.07.2021 and register a case if any offence is made out, otherwise close the enquiry proceedings.

5.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

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

2. The Inspector of Police,
Mulanoor Police Station,
Dharapuram Taluk,
Tiruppur District.

3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.11321 of 2021

RK(CO)
CS/05/07/2021



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