



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11317 of 2021

Mr.M.Madhibalan

... Petitioner

.vs.

1.The Superintendent of Police,  
District Crime Branch,  
Perambalur District.

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

3.Mr.Seeman

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents not to harass the petitioner in the guise of enquiry in pursuance to the complaint of the defacto complainant.

For Petitioner : Mr.G.Ilamurugu

For R 1 & R 2 : Mr.A.Damodaran,  
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed to direct the respondent police not to harass the petitioner in the guise of enquiry in pursuance to the complaint of the defacto complainant.

2.The case of the petitioner is that he was running Mobile phone accessories shop at Kunnam. For expanding his business, he availed hand loan to a tune of Rs.47,00,000/- through his uncle Kumarasamy from Seeman, Jayapaul, Arunagiri, Vijayakumar and Rajendran, who are subscribers to the chit handled by the petitioner. Due to loss in business, he was unable to repay the said hand loan. Under such circumstances, the above said persons threatened the petitioner and got executed two settlement agreements dt.16.06.2021 viz., Document Nos.675 of 2021 and 676 of 2021 respectively, on the file of the



SRO, Veppur-Ariyalur. The petitioner had settled the entire dues through Kumarasamy over and above to all the subscribers. The defacto complainant who wants extra money, lodged a false complaint against the petitioner. Hence, the petitioner filed this petition seeking protection from the harassment of the respondent police on the complaint of 3<sup>rd</sup> respondent/Seeman.

3.The learned Government Advocate (Crl. Side) submits that on the representation dated 23.06.2021 sent by the petitioner through post, the investigation is under process.

4.In view of the same, the petitioner and the 3<sup>rd</sup> respondent is directed to approach the appropriate forum to work out their remedies and the respondent police is directed not to disturb and not to cause any harassment to the petitioner, unnecessarily.

5.This petition is disposed of with the above direction.

Sd/-  
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

kp

To

1.The Superintendent of Police,  
District Crime Branch,  
Perambalur District.

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

3.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.G.Ilamurugu, Advocate (SR No.32423)

CRL.O.P.No.11317 of 2021

RGN (CO)  
PR (05/08/2021)