



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14965 of 2021

Ramalingam ...Petitioner / Sole Accused

Versus

1.The Superintendent of Police
Thiruvannamalai District.

2.The Inspector of Police
District Crime Branch
Thiruvannamalai District.

...Respondents / Complainant

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to direct the second respondent police to not to harass the petitioner in the complaint given by one Mr.Pachiappan, pending in Crime No.Not Known of 2021 on the file of the Inspector of Police, District Crime Branch (DCB), Thiruvannamalai District.

For Petitioner : Mr.Silambu Selvan

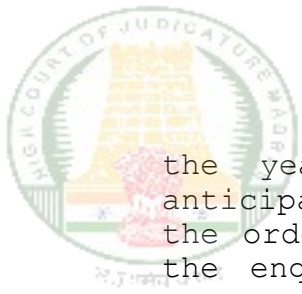
For Respondents : Mr.A.Damodaran
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the second respondent police to not to harass the petitioner in the complaint given by one Mr.Pachiappan, pending in Crime No.Not Known of 2021 on the file of the Inspector of Police, District Crime Branch (DCB), Thiruvannamalai District.

2. The learned counsel for the petitioner has submitted that in the guise of enquiry, the petitioner is called at odd hours and hence, causing harassment.

3. The contention of the petitioner is that the petitioner was an Agricultural product Commission Agent, he would used to purchase Ground Nut Shell. One Pachaiyappan is running the Ground Nut Shell Pulvarising Unit, involved in the processing of Ground Nut Shell. He had purchased Ground Nuts through the petitioner and he failed to give commission amount and he has been questioned and the defacto complainant had lodged a false complaint against him before the Inspector of Police, Vanapuram Police Station, Thiruvannamalai District, in



the year 2019. Thereafter, the petitioner had filed an anticipatory bail in Crl.O.P.No.8370 of 2019. This Court by the order dated 29.03.2019 granted two weeks time to complete the enquiry and report. Thereafter, the petitioner was not aware about the complaint. Later, now, with the same set of facts, the said Pachiyappan had lodged a complaint with the District Crime Branch, (DCB) Thiruvannamalai for the same dispute.

4. The learned Government Advocate (Crl.Side) has submitted that in this case, one Pachiyappan had lodged a complaint to the Superintendent of Police and it has been forwarded to the second respondent in C.No.2076 of 2021. In the complaint, it is seen that the petitioner had received a sum of Rs.16 lakhs from the said Pachiyappan to sell his property and after receiving the money, he neither executed the sale deed nor returned the money. The 2nd respondent is calling the parties for enquiry and the petitioner is very much needed for conducting the enquiry.

5. The learned counsel for the petitioner undertakes that he will appear before the second respondent police and offer his explanation with the materials.

6. The petitioner is directed to appear before the second respondent police on 01.09.2021.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

dna

To

1.The Superintendent of Police,
Thiruvannamalai District.

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

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Silambu Selvan, Advocate, S.R.No.43208

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NMI (CO)