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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.20838 of 2021

Subramani

... Petitioner

Versus

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai.
2. The Inspector of Police,
R3 Ashok Nagar Police Station,
Chennai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent herein to not to harass the petitioner in any manner except by due process of law pursuant to the representation dated 27.10.2021.

For Petitioner : Mr.T.Muruganantham.

For Respondent : Mr. E.Raj Thilak,
Additional Public Prosecutor

O R D E R

The petition has been filed to direct the second respondent herein not to harass the petitioner in any manner except by due process of law pursuant to the representation dated 27.10.2021.

2.The petitioner is running a restaurant in the name of Divine Dine at Kasi Viswanathan Kovil Street, Mambalam, Chennai - 600 033. He had given a paper publication seeking for interested investors in his business. One Francis and Anbuselvam has contacted the petitioner and they have made investment of Rs.5,00,000/- in the business. Subsequently, due to the pandemic situation, the hotel business was closed. The petitioner was making interest for the same till date he was



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able to do. Thereafter he has stopped making the interest payment and promised to make his business revival, he would make them as partners and also make payments of interest dues. The respondent police are entering into a civil dispute forcing the petitioner to settle the illegal demand of said Francis and Anbuselvam, as per the terms. Hence the above petition.

3.The learned Additional Public Prosecutor submits that the petitioner was called for enquiry and he had appeared for enquiry and agreed to settle the issue. Thereafter, the respondent police have not called the petitioner and not caused any harassment.

4.Considering the submissions and on perusal of the materials, this Court finds that the dispute against the petitioner is only a civil dispute. The complainant and the counter-complainant are directed to seek their remedy in the manner known to law and not by filing such petition.

5.Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ah/skr

To

1. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai.
2. The Inspector of Police,
R3 Ashok Nagar Police Station,
Chennai.
3. The Public Prosecutor
High Court, Madras.

Crl.O.P.No.20838 of 2021

SSD(CO)
SU(03/12/2021)