



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.22340 of 2021

- | | |
|--|----------------|
| 1. M.Padmanabhan @ Appu | |
| 2. N.Baskar | |
| 3. Rajaganapathy | ...Petitioners |
| Versus | |
| 1. Commissioner of Police
Tirupur District. | |
| 2. Inspector of Police,
Central Crime Branch,
Tirupur. | ...Respondents |

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue direction to the Respondents directing not to harass the petitioners based on complaint dated 22.10.2021.

For Petitioners: Mr.Mithilesh DK

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

ORDER

This Criminal Original Petition has been filed to direct the Respondents not to harass the petitioners based on the complaint dated 22.10.2021.

2.The contention of the learned counsel for the petitioners is that the first respondent herein runs a proprietorship firm in the name of M/s.Avery Knitwear and the second and the third petitioners are working in the said firm as Manager and Accountant respectively. He further submitted that the First Petitioner's Firm had regular business transaction with M/s.Rado Clothing and due to some dispute between them, a false complaint has been registered against the petitioners by Mr.R.Appanraj, as though they have cheated him to the tune of 38 lakhs. It is further submitted that the petitioners were called for enquiry on 28.10.2021 and he appeared before the Inspector of Police/Second Respondent and given the explanation and again on 30.10.2021, the petitioners appeared before the Second



Respondent and produced the relevant documents, but the Second Respondent has forced the petitioners to settle unreasonable claim of Mr.Appanraj. He further submitted that the matter pertains to civil dispute and the same can be resolved only through Civil Court and not by way of lodging the criminal complaint and hence seeks direction to the Respondents not to harass them under the guise of enquiry.

3. The learned Additional Public Prosecutor appearing for the Respondents submitted that the petitioners appeared before the Second respondent on 28.10.2021 and 30.10.2021 and thereafter they had taken time to resolve the dispute between them, but failed to do so.

4.The learned counsel appearing for the petitioner, on instructions submitted that the petitioners will appear before the Inspector of Police/Second Respondent on 06.12.2021, along with required documents and submit his explanation.

5.In view of the same, the petitioners are directed to appear before the Second Respondent on 06.12.2021 without fail and thereafter, the Second Respondent is directed to enquire and proceed with the matter in accordance with law.

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

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police
Tirupur District.
2. The Inspector of Police,
Central Crime Branch,Tirupur.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.KMC.Arunmohan, Advocate, S.R.No.61807

CRL.O.P.No.22340 of 2021

RP(CO)
RGA(30/11/2021)