



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.2356 of 2021

1.Muruganantham
2.Uma Rani

... Petitioners

Vs.

1.State through
The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Deputy Superintendent of Police,
District Crime Branch,
Ramanathapuram, Ramanathapuram District.

3.The Branch Manager,
Shriram Transport Finance Company Ltd.,
Sekkalai, Karaikudi,
Sivagangai District.

... Respondents

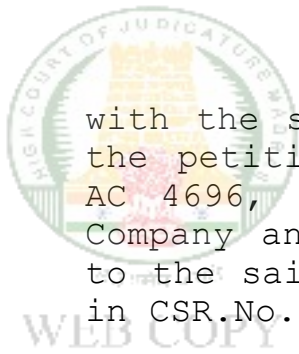
Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the second respondent not to harass the petitioner and his wife under the guise of an enquiry.

For Petitioner : Mr.G.Kasinathadurai
For R1 & R2 : Mr.Erottuchamy
Government Advocate (Criminal Side)

ORDER

The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure seeking for a direction to the second respondent not to harass the petitioner and his wife under the guise of an enquiry.

2.Mr.R.Erottuchamy, learned Government Advocate (Criminal side), who accepts notice on behalf of the respondents 1 and 2, on instructions, would contend that one Karthick, who is the Manager of Shriram Transport Finance Company Limited, lodged a complaint



with the second respondent against the petitioner contending that the petitioner purchased a vehicle bearing Registration No.TN 63 AC 4696, after obtaining a loan from Shriram Transport Finance Company and that the petitioner did not pay the installment dues to the said Finance company and thereupon, a complaint was lodged in CSR.No.9 of 2021 which is posted for enquiry.

3.In the circumstances, the respondent Police is directed to dispose of the complaint lodged by the third respondent based on findings and on merits within a period of two weeks from the date of receipt of a copy of this order. If cognizable offence is made out, the police is directed to follow the guidelines issued in the decision in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** and if the matter is purely a money transaction between the petitioner and the third respondent, the said petition may be closed.

4.With the above observation, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

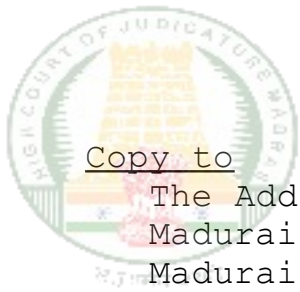
Note In view of the present lock down : owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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

2.The Deputy Superintendent of Police,
District Crime Branch,

<https://hcservices.ramapn.gov.in/services>, Ramanathapuram District.



Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

+1 CC to Mr.G.KASINATHA DURAI, Advocate (SR-5280[F] dated
16/02/2021)

Crl.O.P. (MD) No.2356 of 2021
16.02.2021

KM (15.03.2021) 3P 5C