



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 16.08.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.6185 of 2021

S.Rajesh Kannan @ Pandi

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
South Police Station,
Rajapalayam,
Virudhunagar District.

3.K.Vivek

... Respondents

Prayer:Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the 2nd respondent to interrogate the complaint given by the 3rd respondent fairly and thoroughly and not to harass this petitioner to return back the cars pledged by the 3rd respondent with the financiers and not to threaten this petitioner to be booked under false cases.

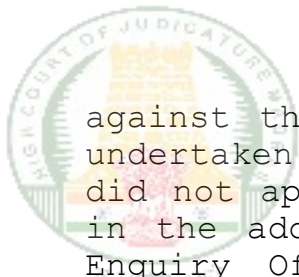
For Petitioner : Mr.J.William Christopher
For R1 & R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the 2nd respondent to interrogate the complaint given by the 3rd respondent without harassing the petitioner.

2. When the matter taken up for hearing on 29.06.2021, the learned Additional Public Prosecutor has submitted that based upon the complaint given by the third respondent, enquiry was undertaken and because of the pendency of this petition, it could not be concluded. So, the matter has been listed today under the caption 'for final disposal'.

3.When the matter taken up for hearing, the learned Additional Public Prosecutor would submit that the petitioner gave a complaint



against the third respondent herein. Upon which, enquiry has been undertaken and during the course of enquiry, the third respondent did not appear before the Enquiry Officer and he has not available in the address and the petitioner also did not appear before the Enquiry Officer. The third respondent indulged in such illegal activities of cheating and thereafter, absconded. So, on the basis of the complaint given by one Ayyanar, a case in Crime No.262 of 2021 for the offence under Section 406 and 420 IPC has been registered against the third respondent. Since the third respondent is absconding, the case is under investigation and the petitioner is not arrayed as an accused in the above said case.

4.It appears that since the third respondent himself did not appear before the Enquiry Officer and no complaint has been given by the third respondent against the petitioner and the petitioner is not arrayed as an accused in the above said case, no further consideration or direction is required in this matter and the question of harassment, may not be arise.

5.Recording the submission made by the learned Additional Public Prosecutor, this Criminal Original Petition stands dismissed as infructuous.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

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,
Thanjavur District,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
South Police Station,
Rajapalayam,
Virudhunagar District.

<https://hcservices.ecourts.gov.in/hcservices/>



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

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KB(25.08.2021) 3P 4C