



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.8647 of 2021

B.Vijay

... Petitioner

Vs.

1. The Inspector of Police,
Economic Offences Wing-II,
No.39, Viswanathapuram Main Road,
Madurai.
(Crime No. Not Known)

2. J.Elizabeth Jeyarani

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent not to harass the petitioner in the guise of enquiry by the respondent Police.

For Petitioner	: Mr.K.K.Samy
For R1	: Mr.R.M.Anbunidhi
	Additional Public Prosecutor

O R D E R

This petition is filed seeking a direction to the first respondent not to harass the petitioner under the guise of enquiry.

2. The case of the petitioner is that he availed a loan during the year November 2018 to February 2019 from the second respondent herein for the purpose of starting a departmental store and he was settling the amount in installments. The total repayment is about Rs.20 lakh and all the repayments were made only through Banking transaction. Based upon the complaint given by the second respondent, enquiry was undertaken by the first respondent and the first respondent insisted on the petitioner to pay the balance amount of Rs.7 lakh, whereas the petitioner has paid the entire amount of Rs.18 lakh along with interest of Rs.2 lakh. Therefore, the first respondent cannot insist the petitioner to pay the amount.

3. The learned Additional Public Prosecutor submits that as per the complaint given by the second respondent, the petitioner has been engaged in on-line fraud, in respect of which, the money has to be repaid by the petitioner. A copy of the complaint has also been circulated.



4. On perusal of the complaint, it is seen that a specific allegation has been made to the effect that the petitioner was engaged in on-line fraud.

5. In such circumstances, the petitioner has to co-operate with the Enquiry Officer and therefore, the question of harassment does not arise. If any threat arises in future, the petitioner is at liberty to work out his remedy before the appropriate Forum by appropriate proceedings.

6. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ogy

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 Inspector of Police,
Economic Offences Wing-II,
No.39, Viswanathapuram Main Road,
Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.K.SAMY, Advocate (SR-20869[F] dated 01/07/2021)

Crl.O.P. (MD)No.8647 of 2021
01.07.2021

RC(13.07.2021) 2P 4C

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