



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.8963 of 2021

Balasubramanian

... Petitioner

Vs.

State through:

1.The Superintendent of Police,
Dinidugl,
Dindigul District.

2. The Inspector of Police,
Eriyod Police Station,
Vedasandur Taluk,
Dindigul District.

3.Velusamy

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to harass the petitioner without following the due process of law based on the legal notice dated 30.06.2021.

For Petitioner

: Mr.G.S.Ashok Adhithian

For R1 - R2

: Mr.R.M.Anbunidhi

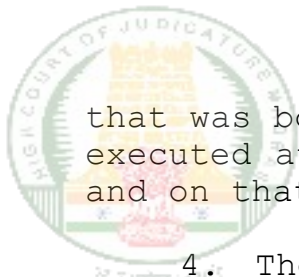
Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the second respondent not to harass the petitioner without following due process of law based on the legal notice dated 30.06.2021.

2. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that there is money transaction between the petitioner and the third respondent. The third respondent has received Rs.5 lakhs on 14.08.2018 and till date he has not repaid the same and hence, the petitioner has issued notice. In the meantime, the third respondent has given a complaint to the second respondent and on the basis of that complaint, the second respondent is pressurizing to settle the issue. Hence, this petition.

3.The learned Additional Public Prosecutor submits that based upon the complaint given the third respondent, CSR No.146 of 2021 has been assigned and during the course of enquiry, the third respondent has stated that the third respondent has repaid the money



that was borrowed from the petitioner but the document that has been executed at the time of borrowal was not returned by the petitioner and on that ground enquiry is pending.

4. The learned counsel for the petitioner submits that the third respondent has not repaid money and therefore, he has issued legal notice. But according to the third respondent, he has repaid money to the petitioner. In such circumstances, both parties have to work out their remedy by filing a civil suit before the appropriate forum. So the enquiry by 2nd Respondent shall be closed.

5. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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,
Dinidugl,
Dindigul District.
2. The Inspector of Police,
Eriyod Police Station,
Vedasandur Taluk,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.8963 of 2021

08.07.2021

CM(CO)

LR (15.07.2021) 2P 4C