



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVA**

Crl.O.P.(MD)No.10192 of 2021

S.Pandi

... Petitioner

Vs.

1.The Deputy Superintendant of Police,
Thoothukudi Town @ Thoothukudi.

2.The Inspector of Police,
D-3, South Police Station,
Thoothukudi.

3.Mervin

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 & 2 not to harass the petitioner in the name of enquiry, based on the false complaint given by the third respondent.

For Petitioner

: Mr.Sathish Babu

For R1 & R2

: Mr.R.M.Anbunithi,

Additional Public Prosecutor

For R3

: Mr.S.P.Prakash

ORDER

This petition is filed to direct the respondents 1 & 2 not to harass the petitioner based on the complaint given by the third respondent.

2.The case of the petitioner is that the petitioner and the third respondent are working in a Private concern at Madurai. The third respondent borrowed a sum of Rs.7,00,000/- from the petitioner and executed a promissory note. When the petitioner asked to repay the amount, he refused to return. On 14.07.2021, the 3rd respondent requested the petitioner to come to his native place, so that he could arrange money. Believing the words of the third respondent, the petitioner also went to his native. But the third respondent instead of repaying the amount, he has lodged a false complaint against the petitioner stating that he is threatening him with dire consequences. Based on the complaint given by the third respondent, the petitioner was called for enquiry by the respondent police. The petitioner also appeared before the respondent police and produced all the relevant documents. The grievance of the petitioner is that even after producing the documents, the respondent police is harassing the petitioner. Hence, this petition.



3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents and the learned counsel for the third respondent.

4. When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that based upon the complaint given by the third respondent, enquiry in CSR No.1054 of 2021 was undertaken and during the course of enquiry, it was found that there was a money transaction between the parties and based on the statement given by the petitioner to the effect that he will approach the concerned Court for his remedy, the enquiry was closed on 15.07.2021.

5. The learned counsel for the third respondent would submit that he has not withdrawn any such statement and he has sent complaint to the third respondent, which in turn forwarded to the second respondent.

6. The submission made by the counsel for the third respondent is disputed by the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

7. It is seen that the complaint given by the third respondent came to be closed on 15.07.2021. Hence, nothing survives for further consideration or direction in this petition. If the petitioner is aggrieved, he is at liberty to approach the concerned Civil Forum for his remedy.

8. With such liberty, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

vrn

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 Deputy Superintendant of Police,
Thoothukudi Town @ Thoothukudi.

2.The Inspector of Police,
D-3, South Police Station,
Thoothukudi.

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

CrI.O.P. (MD) No.10192 of 2021
03.08.2021

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