



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.08.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD)No.10891 of 2021

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- 1.Moorthy
2.Anbuselvan
3.Rajeeshwari ... Petitioners/Accused
Vs.
1.The Inspector of Police,
District Crime Branch,
Karur District. ...1st Respondent/Complainant
2.Kaliyappan ... 2nd Respondent/Defacto Complinant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent police not to harass the petitioner and not to interfere the issue involved in pending suit in O.S.No.147 of 2021 on the file of the Subordinate Judge, Karur against law in the nature and circumstances of the case.

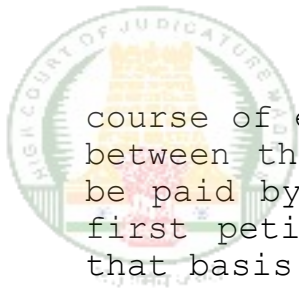
For Petitioners : Mr.J.Senthil Kumaraiah
For R1 : Mr.R.M.Anbunidhi
Additional Public Prosecutor

O R D E R

This petition is filed seeking a direction to the first respondent police not to harass the petitioners and not to interfere the issue involved in pending suit in O.S.No.147 of 2021 on the file of the Subordinate Judge, Karur against law in the nature and circumstances of the case.

2. The case of the petitioners is that the first petitioner along with his friends have started finance company namely 'Anuram Capital' and due to financial loss, the company was closed in the year 2017. Thereafter, the first petitioner borrowed loan from the second respondent and he has not repaid the same and hence the second respondent filed a suit in O.S.No.147 of 2021 before the Sub Judge, Karur for recovery of the amount. In the meantime, the second respondent has given a complaint, based upon which, the first respondent is making harassment.

3. The learned Additional Public Prosecutor would submit that based upon the complaint given by the second respondent enquiry was undertaken in C.No.1240231 of 2021 and C.No.127 of 2021. During the



course of enquiry, it came to light that there was money transaction between the parties involving Rs.20 lakhs and later that could not be paid by the first petitioner. During the course of enquiry, the first petitioner undertook to return money in installments and on that basis it came to be closed on 06.08.2021.

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4. It is seen that the suit is also pending before the Subordinate Judge, Karur. So the parties have to work out their remedy before the appropriate forum and the first respondent has no role to play and to make compromise between the parties.

5. Recording the submission of the learned Additional Public Prosecutor that complaint has been closed, nothing survives for further consideration in this petition and the same is disposed of.

Sd/-

Assistant Registrar (W)

// 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 Inspector of Police,
District Crime Branch,
Karur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.10891 of 2021
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GC (01.09.2021) /2P/3C