



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 16.09.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**Crl.O.P. (MD)No.11126 of 2021**

Chellapandi

... Petitioner

**Vs.**

1.The City Commissioner of Police,  
Madurai City, Madurai.

2.The Inspector of Police,  
S.S.Colony Police Station,  
Madurai.

3.S.Anand ... Respondents

(R3 is impleaded as per the order dated 16.09.2021 in  
Crl.M.P(MD)No.7151 of 2021)

**PRAYER** : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 not to harass the petitioner under the guise of enquiry, pursuant to the complaint dated 04.08.2021.

For Petitioner : Mr.P.Banuprasath

For R1 & R2 : Mr.R.Meenakshi Sundaram  
Government Advocate (Crl.side)

R3 : Mrs.D.Ramya

**O R D E R**

This petition has been filed seeking direction to the respondents 1 and 2 not to harass the petitioner under the guise of enquiry on the basis of the complaint dated 04.08.2021 given by one Anand based upon the representation dated 04.08.2021.

2. When the matter was taken up for hearing on 11.08.2021, the learned Government Advocate (Crl.side) submitted that enquiry was undertaken in CSR No.536 of 2021 on the basis of the complaint given by one Anand, the Manager of Sakthi Constructions Company, Kochadai stating that iron rods, diesel were stolen.

3. On that day, the petitioner was directed to appear before the enquiry officer and co-operate with him to complete the enquiry. On the said ground, the matter was adjourned today.

4.When the matter is taken up for hearing today, the learned counsel for the petitioner would submit that as per the direction issued, the petitioner appeared before the enquiry officer and enquiry was concluded.



5. In the meanwhile, an impleading application has been filed by the defacto complainant namely, Anand, who is the Manager of Sakthi Cosntructions Company, Kochadai, and this Court by order dated 16.09.2021, ordered the said application and the said S.Anand is impleaded as the third respondent in this petition.

6. The Government Advocate(Crl.side) submits that during the course of enquiry, it was found that the complaint given by Anand is without any basis and there was a delay of 12 days in lodging the complaint. Finding that there was no basis in the complaint, the same was closed on 12.09.2021.

7. Since the complaint was closed by the second respondent after enquiry, the third respondent, who is now impleaded, can work out his remedy through appropriate proceedings. Since complaint has been closed, nothing survives for adjudication in this petition for consideration or direction and there is no question of harassment. Hence, this petition is dismissed as infructuous.

Sd/-

Assistant Registrar (AS)

// 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 City Commissioner of Police,  
Madurai City, Madurai.

2.The Inspector of Police,  
S.S.Colony Police Station,  
Madurai.

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

+1 CC to M/s.P.BANU PRASATH, Advocate (SR-29660[F] dated 20/09/2021)  
CrI.O.P.(MD)No.11126 of 2021  
16.09.2021

GC(12.10.2021) 2P 5C