



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **06.09.2021**

CORAM:

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

Crl.O.P. (MD)No.12894 of 2021

WEB COPY

R.Balamurugan

... Petitioner/Accused

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Mandapam Police Station,
Ramanathapuram.

... 1st and 2nd Respondents/
Complainants

3.K.Kalidoss

... 3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent police not to harass the petitioner in the name of enquiry and pass such further or other orders.

For Petitioner : M/s. Shyllappa Kalyan.N
For R1 & R2 : Mr.K.Sanjai Gandhi
Government Advocate

O R D E R

This petition is filed seeking direction to the second respondent police not to harass the petitioner on the basis of the complaint given by the third respondent herein.

2. The learned counsel for the petitioner would submit that the petitioner has borrowed a sum of Rs.3 lakhs from the third respondent and for security purpose, the petitioner has handed over passport, ATM Card and two cheques. Later that amount was also repaid by the petitioner. Making allegation that the petitioner has not paid the amount to the third respondent, the third respondent has given a complaint and therefore, the second respondent police is making harassment.

3. The learned Government Advocate (Crl.side) would submit that based upon the complaint given by the third respondent enquiry was undertaken in C.No.177 of 2021 and during the course of enquiry, it was found that the petitioner has stated that he cannot appear



before the Enquiry Officer immediately since he is residing in somewhere and the petitioner has repaid the entire amount. The third respondent has given a statement to the effect that he will work out his remedy after arrival of the petitioner. On that basis, it was closed on 03.07.2021.

WEB COPY

4. It appears that there is money transaction between the petitioner and the third respondent upon which dispute arose between them. Since it is purely money transaction between the parties, the second respondent may not have any role to enquire into the matter.

5. Recording the submission of the learned Government Advocate (Crl.side) and in view of the closure of the complaint, nothing survives for further consideration in this petition and the same is disposed of.

Sd/-

Assistant Registrar (A.D.II)

// 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,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Mandapam Police Station,
Ramanathapuram.

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

+1 CC to M/s.S.SATHISHKUMAR, Advocate (SR-28413[F] dated 07/09/2021)

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_RD(22.09.2021) 2P 5C