



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2021

CORAM :

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

Crl.O.P.(MD)No.12473 of 2021

G.Babu John

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by the Superintendent of Police,
Kanyakumari District at Nagercoil.

2.The Inspector of Police,
District Crime Branch,
Nagercoil.

3.Mr.R.Chinnapparaj

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent not to harass the petitioner under the guise of enquiry.

For Petitioner	: Mr.A.Rajkumar Sen
For R1 & R2	: Mr.R.M.Anbunithi, Additional Public Prosecutor

ORDER

This petition is filed to direct the second respondent not to harass the petitioner under the guise of enquiry.

2.The case of the petitioner is that he is the dealer of Jappier Cements Private Limited, out of the business transaction, the petitioner has to pay Rs.60,00,000/- to the third respondent till February 2018. It appears that because of the business dispute, O.S.No.90 of 2021 is also filed by the petitioner before the Subordinate Court, Eraniel and it is pending. Similarly, on the earlier occasion, based upon the complaint given by the third respondent, enquiry was undertaken by Colachel police station. Hence, the petitioner filed Crl.O.P(MD) No.8551 of 2021 seeking very same relief and it was closed on 23.06.2021 on the basis of the submission made by the learned Additional Public Prosecutor to the effect that the enquiry was closed in CP No.P2/600 dated 23.06.2021. It appears that after closure of the earlier complaint, again representation has been made.

3.When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the first and second respondents would submit that he will advise the second respondent



to close the enquiry by directing the third respondent to redress his grievance through appropriate civil proceedings.

4.Recording the undertaking given by the learned Additional Public Prosecutor, this petition stands disposed of. The second respondent is directed to close the enquiry and the third respondent is directed to approach the concerned Civil Forum to redress his grievance through appropriate civil proceedings.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
Kanyakumari District at Nagercoil.
- 2.The Inspector of Police,
District Crime Branch,
Nagercoil.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.12473 of 2021

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RS (21.09.2021) 2P 4C