



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Crl.O.P. (MD)No.12949 of 2021

B.Muthukumaran

... Petitioner/Accused

Vs.

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

2.The Inspector of Police,
Palanichettipatti Police Station,
Palanichettipatti,
Theni District.

3.The Sub - Inspector of Police,
Palanichettipatti Police Station,
Palanichettipatti,
Theni District.

... Respondents 1 to 3/Complainants

4.A.Rajangam

... 4th Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second and third respondent police not to harass the petitioner except under due process of law.

For Petitioner

: **(*)Mr.M.Kaliraj**

For R1 to R3

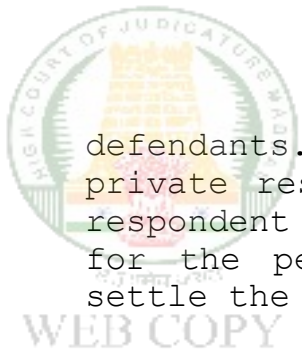
: Mr.K.Sanjai Gandhi

Government Advocate(Crl.side)

O R D E R

This petition is filed seeking direction to the second and third respondent police not to harass the petitioner under the guise of enquiry.

2. The learned counsel for the petitioner would submit that the fourth respondent borrowed a sum of Rs.15 lakhs from the petitioner on 14.01.2019 and the said amount was not re-paid by the fourth respondent. The petitioner has filed a suit in O.S.No.158 of **(*)2021** before the Principal District and Sessions Judge, Theni against the fourth respondent and another. Now it is pending and the same is posted on 06.09.2021 i.e on today for the appearance of the



defendants. In the meantime, it appears that on 27.08.2021, the private respondents appear to have given a complaint to the second respondent and now it is pending. According to the learned counsel for the petitioner, the second respondent is pressurizing him to settle the dispute.

3. The learned Government Advocate(Crl.side) would submit that based upon the complaint enquiry has been conducted in CSR No.781 of 2021 and since a sum of Rs.15 lakhs is involved, the complaint has been forwarded to the District Crime Branch.

4. It appears that it is out and out money transaction between the petitioner and the fourth respondent and another. Neither the second respondent nor the District Crime Branch, Theni have any role in this matter. The second respondent is directed to close the enquiry and direct the fourth respondent as well as the petitioner to work out their remedy before the Civil Court, where the suit in O.S.No.158 of **(*)2021** is pending.

5. With the above said direction, this petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

(*) Corrected as per order dated of this Court dated 21.09.2021

Sd/-

Assistant Registrar (CS-I)

// 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,
Theni District,
Theni. .

2.The Inspector of Police,
Palanichettipatti Police Station,
Palanichettipatti,
Theni District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Sub - Inspector of Police,
Palanichettipatti Police Station,
Palanichettipatti,
Theni District.

4.The District Crime Branch,
Theni.

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

Crl.O.P. (MD)No.12949 of 2021
06.09.2021

MGJ(30.09.2021) 3P 6C