



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

CrI.O.P. (MD)No.15052 of 2021

WEB COPY

A.Kathiresan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Andipatti, Theni District.

2.A.Marimuthu

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1st respondent not to harass the petitioner by forcing him to pay the alleged amount to the 2nd respondent and to settle the alleged claim under the garb of enquiring the complaint allegedly given by the 2nd respondent.

For Petitioner : Mr.M.Ponnaiah

For Respondents : Mr.R.M.S.Sethuraman
Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the 1st respondent and his officials not to harass the petitioner and his family members in the guise of enquiry based on the complaint of the 2nd respondent herein.

2.It appears that a dispute with regard to the Real Estate business exists between the second respondent and the petitioner herein. Based upon the above said dispute, the second respondent gave a complaint to the first respondent stating that this petitioner cheated a sum of Rs.45 lakhs.

3.The learned Additional Public Prosecutor submits that based upon the above said complaint, enquiry has been undertaken and during the course of enquiry it is found that it is a dispute of business transaction between the petitioner and the second respondent. He would further submit that the petitioner appeared before the Enquiry Officer through his Power agent and given an undertaking to the effect that he would appear for further enquiry on 23.09.2021. But thereafter he did not appear before he Enquiry Officer.



4.Since it is a dispute regarding the business transaction, the first respondent has no role to play. He may close the enquiry by directing the parties to workout their remedy through appropriate civil proceedings.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Andipatti, Theni District.

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

+1 CC to M/s.M.PONNAIAH, Advocate (SR-31136[F] dated 05/10/2021)

Crl.O.P. (MD) No.15052 of 2021
05.10.2021

RK(12.10.2021) 2P 4C