



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.10.2021**

CORAM:

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

Crl.O.P. (MD)No.15283 of 2021

WEB COPY

Mohamed Nizamudeen

... Petitioner

Vs.

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

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

3.Mohamed Ali

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to instruct the second respondent not to harass the petitioner on the guise of the enquiry based on the complainant given by the third respondent.

For Petitioner : Mr.K.R.Laxman

For R-1 and R-2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

O R D E R

This petition is filed seeking direction to the first respondent to instruct the second respondent not to harass the petitioner under the guise of the enquiry based on the complaint given by the third respondent.

2.When the matter is taken up for hearing, the learned counsel for the petitioner would submit that on the previous occasion, there was an agreement between the third respondent and the petitioner herein in respect of purchase of property and since dispute arose between them, the third respondent returned money and after receiving the amount, the entire transaction between the petitioner and the third respondent got ended and later the third respondent entered into an agreement with some other person and dispute arose between them and based upon which complaint has been given in which the petitioner has been called unnecessarily.



3.The Additional Public Prosecutor would submit that on the basis of the order passed by the Judicial Magistrate, Thiruvaiyaru in Cr.M.P.No.1242 of 2021, enquiry has been undertaken and during the course of enquiry, the third respondent did not appear and cooperate with the enquiry officer to complete the enquiry and he has not produced any document. Finding that there is no scope to make further enquiry due to non cooperation of the third respondent, the complaint has been closed on 19.09.2021.

4. Since the complaint has been closed, nothing survives for further consideration or direction. Therefore, this petition is disposed of as infructuous.

Sd/-

Assistant Registrar (P&A)

// 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,
Thanjavur District,Thanjavur.

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

Copy to

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

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-31673[F] dated 07/10/2021)

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