



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2022

CORAM

THE HONOURABLE MRS.JUSTICE R.THARANI

Crl.O.P(MD)No.9925 of 2022

K.Subha

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
City Crime Branch,
Heber Road,
Tiruchirapalli City.

2.D.R.Raju

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the first respondent not to harass the petitioner under the guise of enquiry by interfering in the civil dispute.

For Petitioner : Mr.K.R.Kishore Ram
For Respondents : Mr.P.Kottai Chamy
Government Advocate (Criminal Side)
for R.1

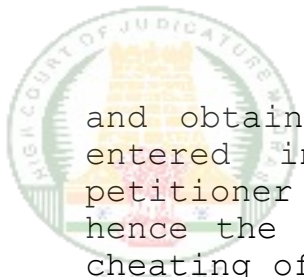
: Mr.D.Nallathambi for R2

ORDER

This Criminal Original Petition has been filed to direct the first respondent not to harass the petitioner under the guise of enquiry by interfering in the civil dispute.

2. On the side of the petitioner, it is stated that there is a civil dispute between the petitioner and the second respondent. The second respondent filed a complaint before the first respondent and the first respondent is harassing the petitioner in the guise of enquiry and prayed for an order of not to harass the petitioner.

3. On the side of the second respondent, it is stated that the petitioner entered into a sale agreement with the second respondent and there is an arbitration proceedings taken and the arbitrator has passed an award. The second respondent has lodged a complaint before the first respondent on 22.09.2021, no steps were taken by the first respondent and the second respondent approached the Court



and obtained an order on 08.03.2022. In between the petitioner entered into another sale agreement which reveals that the petitioner is having a motive to cheat the second respondent and hence the second respondent is constrained to take steps regarding cheating of the petitioner and prayed the petition to be dismissed.

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4. On the side of the first respondent, it is stated that an enquiry is pending on the complaint lodged by the second respondent. Already learned Judicial Magistrate No.I, Trichy has directed the first respondent to register a case. Hence enquiry has been initiated and the petitioner and her family members were called upon for enquiry.

5. It is seen that there is a direction from the Judicial Magistrate No.I, Trichy, against the first respondent to enquire the matter. The first respondent is duty bound to obey the order of learned Judicial Magistrate No.I, Trichy. It is the duty of every citizen to co-operate the police for enquiry.

6. In the above circumstances, the petitioner is directed to co-operate with the first respondent for enquiry and the first respondent is hereby directed not to physically harass the petitioner in the guise of enquiry and to conduct the enquiry in a fair manner in accordance with law.

7. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Vacation Officer /
Assistant Registrar(Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsm/mga
To

1.The Inspector of Police,
City Crime Branch, Heber Road,
Tiruchirapalli City.

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

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-24334[F] dated
06/06/2022)

Crl.O.P(MD)No.9925 of 2022
02.06.2022

nsn(CO)
TR(10.06.2022) 2P 4C

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