

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.09.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

Cr1.O.P.(MD)No.15667 of 2022

Venika

... Petitioner

/Vs./

- 1.The Superintendent of Police,
Office of Superintendent of Police,
Sivagangai District – 630 561.
- 2.The Deputy Superintendent of Police,
D.S.P.Police,
Manamadurai – 630 606.
- 3.The Inspector of Police,
Sipcot Police Station,
Manamadurai - 630 606.
- 4.The Sub Inspector of Police,
Sipcot Police Station,
Manamadurai - 630 606.
- 5.Mohammed Dharik Al Ameen
- 6.Mohammed Gani

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, 1973, to direct the 3rd and 4th respondents not to harass the petitioner and her family members to pay Rs.2,50,000/- to 6th respondent as Exorbitant interest in guise of enquiry in civil issue against law.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.A.Albert James

Government Advocate (Cr1.) (For R1 to R4)

ORDER

The Petitioner has filed this Criminal Original Petition seeking for a direction to the 3rd and 4th respondents not to harass the petitioner and her family members to pay Rs.2,50,000/- to 6th respondent as Exorbitant interest, under the guise of enquiry.

2.Heard the learned Counsel appearing for the Petitioner and learned Government Advocate (Cr1.), who takes notice for the Official Respondent/s.

3.The learned Counsel appearing for the Petitioner submits that the Petitioner is a Tailor by profession and since she wanted to put up a house in the site belonging to her, she had pledged her jewels and obtained loan from the sixth respondent. The sixth respondent demanded 5% interest, which is exorbitant. Subsequently, without consent from the petitioner, he had sold her jewels. Hence, the Petitioner had preferred a complaint to the fourth respondent. The sixth respondent had also preferred a complaint stating that the petitioner had cheated him. Under the guise of an enquiry, the petitioner is often summoned by the respondents 3 to 5.

4.The learned Government Advocate (Cr1.) appearing for the Official Respondents submits that a complaint has been received stating that the petitioner had borrowed a loan with the sixth respondent for a sum of Rs.3,25,000/- and cheated the sixth respondent and CSR has also been issued to that effect.

5.Since the nature of the complaint is for recovery of loan by the sixth respondent, the sixth respondent shall approach the civil Court and not the Police.

However, the respondents 1 to 5 are directed not to harass the petitioner and her family members. With this direction, this Criminal Original Petition is disposed of.

07.09.2022

Index : Yes / No
Internet : Yes / No
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TO:

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- 2.The Deputy Superintendent of Police,
D.S.P.Police,
Manamadurai – 630 606.
- 3.The Inspector of Police,
Sipcot Police Station,
Manamadurai - 630 606.
- 4.The Sub Inspector of Police,
Sipcot Police Station,
Manamadurai - 630 606.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SATHI KUMAR SUKUMARA KURUP, J.

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Order made in
Cr1.O.P.(MD)No.15667 of 2022

Dated:
07.09.2022