



Crl.O.P.(MD)No.15780 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.09.2022**

CORAM:

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

Crl.O.P.(MD)No.15780 of 2022

1.Yoga Prabhu

2.R.Dharmaraj

... Petitioners

/Vs./

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

2.The Deputy Superintendent of Police,
District Crime Branch,
Dindigul, Dindigul District.

3.The Inspector of Police,
District Crime Branch,
Dindigul, Dindigul District.

4.V.Chandrabose

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, 1973, to direct the 2nd and 3rd respondents not to harass the petitioners under the guise of enquiry, based on the complaint of the fourth respondent.



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For Petitioners : Mr.S.Loganathan

For Respondents : Mr.A.Albert James

Government Advocate (Crl.) (For R1 to R3)

ORDER

The Petitioner has filed this Criminal Original Petition seeking for a direction to the 2nd and 3rd respondents not to harass the Petitioners, under the guise of enquiry, based on the complaint of the fourth Respondent.

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

3.The learned Counsel appearing for the Petitioners submits that on a false complaint given by the fourth respondent, the Petitioners are often being harassed by the Respondent Police. Hence, the Petitioners seek for a direction to the Respondent Police not to harass them.



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4.The learned Counsel appearing for the fourth Respondent submits that the petitioners herein approached the fourth Respondent for selling Iridium metal, which the fourth Respondent can sell in the market and get huge margin. Believing the words of the Petitioners, the fourth Respondent had lent a sum of Rs.18,00,000/- and subsequently, the Petitioners neither handed over the said Iridium metal nor the amount. Therefore, the fourth Respondent had approached the Police for recovery of money from the Petitioners, who are alleged to have involved in cheating. Based on this complaint, the Respondent police had filed a case against the Petitioners. The Petitioners herein had approached this Court in Crl.O.P.(MD)Nos.9736 and 9737 of 2022, which were dismissed by this Court.

5.The learned Government Advocate (Crl.) appearing for the Official Respondents furnished a copy of the FIR to this Court and submits that a case has been registered against the Petitioners in Crime No.25 of 2022 on the file of the District Crime Branch, Dindigul, for the offences under Sections 406, 420 and 506 (1) IPC. After registration of the case, the Petitioners are absconding and they are not cooperating with the pending investigation.



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6.Considering the submission of the learned Counsel appearing for the Petitioners as well as the learned counsel appearing for the fourth respondent and the learned Government Advocate appearing for the Official Respondents, it is found that this is not a fit case for directing the Respondents not to harass the petitioners. Hence, the petitioners are directed to cooperate with the pending investigation. This Criminal Original Petition is dismissed accordingly.

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Index : Yes / No

Internet : Yes / No

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TO:

- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Deputy Superintendent of Police,
District Crime Branch,
Dindigul, Dindigul District.
- 3.The Inspector of Police,
District Crime Branch,
Dindigul, Dindigul District.
- 4.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
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