



WEB COPY



Crl.O.P.(MD)No.15953 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.15953 of 2022

Panchavarnam

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,
Oomatchikulam Sub-Division,
Madurai District.

3.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

4.Thaaamodharan
The Sub-Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

5.Muthupriya

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction to the 2nd to 4th respondents police not to interfere the civil dispute in the money transaction between the petitioner



and the fifth respondent in view of the promissory note and unregistered lease deed dated 25.01.2021.

For Petitioner : Mr.R.Udhayakumar
For Respondents : Mr.A.Albert James
Government Advocate (Crl. side)
for R1 to R3

ORDER

This Criminal Original Petition has been filed seeking direction to the 2nd to 4th respondents police not to interfere the civil dispute in the money transaction between the petitioner and the fifth respondent in view of the promissory note and unregistered lease deed dated 25.01.2021.

2.The case of the petitioner is that there was an unregistered agreement between the petitioner and the fifth respondent, over leasing of the house site which belongs to the petitioner. The husband of the petitioner received Rs.4,00,000/- from the fifth respondent and lease period was fixed at three years. The fifth respondent was living in the above said house. Later, the husband of the petitioner received Rs.25,000/- from him as hand loan on the basis of the promissory note.



WEB COPY

Thereafter, also he received Rs.1,50,000/- from the fifth respondent on interest basis and the amount was demanded back and was paid with interest. After receiving the entire amount, now the fifth respondent pressurize the petitioner to pay extra amount. Over the above said dispute, she also lodged a complaint before the respondent police, over which, C.S.R.No.281 of 2022 has been assigned and enquiry was undertaken and this petitioner also appeared before the enquiry officer and a statement was given that she has settled the entire amount. But, the fifth respondent has pressurized to execute a bond and also obtained a letter of undertaking to settle the issue. At one of point of time, the petitioner has also attempted to commit suicide, over which, a case in Crime No.259 of 2022 has also been registered against the petitioner.

3.A reading of the CD file and as well as the undertaking that has been given by the petitioner shows that the it was a money transaction between the petitioner, her husband and the fifth respondent herein, in which, the respondent police may not have any role to play. If any enquiry is still kept pending, the same may be closed with a direction to the parties, to workout their remedy through appropriate civil proceedings.



Crl.O.P.(MD)No.15953 of 2022

WEB COPY

4. With the above directions, this Criminal Original Petition is disposed of.

09.09.2022

Index : Yes/No

Internet : Yes/No

sjj

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,
Office of the Superintendent of Police,
Madurai District.
2. The Deputy Superintendent of Police,
Oomatchikulam Sub-Division,
Madurai District.
3. The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.15953 of 2022

G.ILANGO VAN. J.

sjj/pnn

Crl.O.P.(MD)No.15953 of 2022

09.09.2022