



Crl.O.P.(MD)No.17276 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.09.2022

CORAM :

THE HONOURABLE Mr. JUSTICE G.JLANGOVAN

Crl.O.P.(MD)No.17276 of 2022

Karuppaiah

... Petitioner/ Accused

Vs.

1.State through
The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.

3.Sahul Hammed

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent not to harass the petitioner and his family members based on the enquiry.

For Petitioner : Mr.S.Muniyandi

For Respondents 1 & 2 : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking a direction to the second respondent not to harass the petitioner under the guise of enquiry on the basis of complaint given by one Sahul Hammed/third respondent herein.



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2.The learned counsel for the petitioner submitted that the third respondent approached him for arranging job in abroad and he helped the third respondent for taking Air Tickets and other specialities. Later, the third respondent has created some sort of trouble and lodged a false complaint.

3.The learned Government Advocate (Crl. Side) appearing for the first and second respondents submitted that the petitioner is running a Man Power Agency. On the basis of the complaint given by the third respondent, enquiry was undertaken in C.S.R.No.228 of 2022 and during the course of enquiry, both the parties have appeared and given a statement to the effect that they have entered into a compromise and the petitioner is undertaken to return a sum of Rs.5,00,000/- to the third respondent herein in two installments. The said statement was given on 13.08.2022 and the same was also agreed by the third respondent. Recording the compromise, the complaint was also closed. Thereafter only, the present petition is filed.

4. I have considered the rival contentions put forth by the learned counsel appearing on either side.



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5. It is seen that after closing the complaint in C.S.R.No.228 of 2022 based on the undertaking given by the petitioner, the present petition has been filed on 16.09.2022, by suppressing the undertaking given by the petitioner. According to the petitioner, the undertaking statement was obtained under threat. If it is so, the petitioner ought to have mentioned the same in the present petition. This suppression of facts itself shows that the petitioner has not come to the Court with clean hands and the same is sufficient enough for dismissing this petition. Accordingly, this Criminal Original Petition is dismissed.

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Index : Yes/No

Internet: Yes/No

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To

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G.ILANGO VAN, J.,

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

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