



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Cr.L.O.P(MD).No.20944 of 2022

S.Selvasuja,

: Petitioner

Vs

1. The Superintendent of Police,
Dindigul.

2. The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar.

3. The Inspector of Police,
Rural Police Station,
Pandian Nagar,
Virudhunagar.

4. Sabarigirinathan,

5. Tharanigirinathan,

: Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Respondents 1 to 3 not to harass the Petitioner in the name of enquiry based on the complaint lodged by the Respondents 4 and 5.

For Petitioner : Mr.N.Mohan

For R1 to R3 : Mr.R.Suresh Kumar
Government Advocate (Cr.L.Side)



ORDER

WEB COPY This criminal original petition had been filed seeking a direction to the Respondents 1 to 3 not to harass the Petitioner in the name of enquiry based on the complaint lodged by the Respondents 4 and 5.

2.The learned Counsel appearing for the Petitioner submits that the Petitioner had invested in a trading company. The Petitioner is serving as a Teacher in an higher secondary school. The fourth Respondent is the Petitioner's student and the Respondents 4 and 5 are brothers. The Respondents 4 and 5 wanted to introduce them with the trading company, where the Petitioner had already invested. They had also invested in the very same company. Since the Petitioner also was cheated by the trading company, the Petitioner herself is the complainant, while so, the Respondents 4 and 5 had complained that the Petitioner cheated them. Earlier, the Respondents 4 and 5 preferred a complaint with the second Respondent. After due enquiry, the second Respondent closed the complaint. Subsequently, they had approached the third Respondent and the third Respondent registered a CSR No.258 of 2022 and enquired the matter. Further, he submits that the Petitioner had been summoned at odd hours by the third Respondent.



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3.The learned Government Advocate (Crl.Side) submits that the complaint had been closed based on the undertaking given by the Petitioner herein.

4.In the light of the above, the Respondents 1 to 3 are directed to follow the guidelines issued by the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. Government of Uttar Pradesh*** reported in **2013 (6) CTC 353** as well as in the case of ***Arnesh Kumar Vs. State of Bihar and another*** reported in **[2014 (8) SCC 273]**.

5.The undertaking given before the police officials is not enforceable in the Court of law. The Respondents 1 to 3 are warned not to interfere with the civil disputes.

6.With the above observation, this criminal original petition is closed.

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Index : Yes/No
Internet : Yes/No
lr



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To

1. The Superintendent of Police,
Dindigul.

2. The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar.

3. The Inspector of Police,
Rural Police Station,
Pandian Nagar,
Virudhunagar.

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



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SATHI KUMAR SUKUMARA KURUP, J.

lr

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