



Crl.O.P.(MD) No.5902 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.5902 of 2023

R.Balakrishnan

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Assistant Commissioner of Police,
Assistant Commissioner Police Office,
(Melapalayam Circle),
Tirunelveli City,
Tirunelveli.

3.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
Tirunelveli.

4.P.Mariyappan

..Respondents



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd and 3rd respondent not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.C.Saravana Kumar

For R1 to R3 : Mr.SS.Madhavan
Government Advocate (Crl.side)

For R4 : Mr.R.J.Karthick

ORDER

This petition is filed seeking for a direction to the respondent police not to harass the petitioner under the guise of enquiry.

2.It is submitted by the learned counsel for the petitioner that the petitioner was working as Driver with the respondent No.4 and on account of the old age, he has stopped working, thereby keeping that in grudge, the respondent No.4 has filed a complaint before the respondent No.3 police and after conclusion of the enquiry, the said complaint was closed. Again, the respondent No.4 stated to have given a complaint to the respondent No.2, who, in turn, started harassing the petitioner.



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3.The learned counsel representing the respondent No.4 submits that the respondent No.4 has given an amount of more than Rs.14,00,000/- to the petitioner as a hand loan and on account of the demand made by the respondent No.4 to return the said amount, on the advise of son-in-law of the petitioner, who is working in the police department, the petitioner has refused to pay the money, on which the respondent No.4 filed a petition before the respondent police.

4.The learned Government Advocate (Crl.side) on the other hand submits that the complaint given by the respondent No.4 was registered as C.No.92 of 2023 and an enquiry is in progress. The petitioner, who has undertaken to come back with the bank statements, failed to come back and submitted that the police have been enquiring the petitioner on the strength of a complaint given by the respondent No.4 police.

5.Considering the circumstances, the respondent Nos.1 to 3 police are directed to complete the enquiry in the petition given by the respondent No.4 within a period of two weeks from the date of receipt of a copy of this order.



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Since it is represented that the respondent No.3 has already concluded the enquiry and closed the same, the respondent No.2 police are directed not to harass the petitioner after concluding of enquiry.

6.With the above direction, this Petition is disposed of.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

13.07.2023

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To

- 1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 2.The Assistant Commissioner of Police,
Assistant Commissioner Police Office,
(Melapalayam Circle),
Tirunelveli City,
Tirunelveli.
- 3.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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