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*CrI.O.P.(MD)No.10272 of 2023*



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.06.2023**

CORAM:

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

**CrI.O.P.(MD)No.10272 of 2023**

V.Jothilal

... Petitioner

Vs.

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

2.The Inspector of Police,  
District Crime Branch,  
Tirunelveli District,  
Palayamkottai.

3.Soosai Antony

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue direction directing the 2<sup>nd</sup> respondent to not to harass the petitioner under the guise of enquiry and not to interfere in the civil dispute with regard to the complaint given by the 3<sup>rd</sup> respondent.

For petitioner : Mr.M.P.Senthil

For Respondents : Mr.B.Nambiselvan for R1 & R2  
Additional Public Prosecutor



## **ORDER**

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This petition has been filed seeking direction to the 2<sup>nd</sup> respondent to not to harass the petitioner under the guise of enquiry and not to interfere in the civil dispute with regard to the complaint given by the 3<sup>rd</sup> respondent.

2.The learned counsel for the petitioner would submit that in stead of moving civil Court for proper relief on the basis of the sale agreement, the third respondent has chosen wrong forum to give the complaint.

3.The learned Additional Public Prosecutor would submit that on the basis of the complaint given by the third respondent against the petitioner, now the complaint is kept pending. The earlier complaint that was given by the private respondent was enquired in C.No. 3385647/2022. During the course of enquiry finding that it is a civil transaction issue between the parties and this petitioner gave an undertaking that within a period of three months he will return the advance amount received by him from the private respondent. On that basis it was closed on 25.01.2023. Another complaint has been given stating that the above said undertaking was not fulfilled by the petitioner.

Now the above said matter is kept pending.



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4.Let this complaint also be closed by directing the parties to avail civil remedy through appropriate proceedings.

5.With the above observation, this Criminal Original Petition is disposed of.

**13.06.2023**

Index : Yes/No

Internet : Yes/No

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To

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

2.The Inspector of Police,  
District Crime Branch,  
Tirunelveli District,  
Palayamkottai.

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



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**G.ILANGOVAN. J.**

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