



CrI.O.P.(MD) No.10877 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2023

CORAM:

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

CrI.O.P.(MD) No.10877 of 2023

Nayan Ramesh Gala

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Theni District.

2.The Inspector of Police,
O/o. the Inspector of Police,
District Crime Branch,
Theni District.

3.R.Subramanian

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent not to interfere in the civil dispute of the petitioner with the respondent No.3.

For Petitioner	: Mr.S.M.A.Jinnah
For R1 & R2	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor
For R3	: Mr.J.Vijayaraja



Crl.O.P.(MD) No.10877 of 2023

WEB COPY

ORDER

This petition is filed seeking for a direction to the respondent police not to harass the petitioner on a complaint given by the respondent No.3.

2.It is submitted by the learned counsel for the petitioner that there were commercial transactions between the petitioner and the respondent No.3 in respect of the sale of Cardamom and in respect of that the respondent No.3 has filed a complaint before the police stating that the petitioner has cheated more than Rs.45,00,000/-. It is further submitted that the dispute is purely business transaction and no criminal case can be registered.

3.The learned counsel for the respondent No.3 on the other hand submits that the petitioner has cheated some other persons also similarly and a criminal case was filed against the petitioner and the same was settled. It is also stated that this Court has earlier directed the petitioner and the respondent No.3 to appear before the police along with their bank statements and the respondent No.3 though appeared, the petitioner has sent the statements by post and never bothered to appear before the police.



Crl.O.P.(MD) No.10877 of 2023

WEB COPY

4.The learned Additional Public Prosecutor on the other hand has filed a status report to the effect that the police have enquired both the parties on 5 occasions, enquiry was posted from time to time and ultimately, the complaint given by the respondent No.3 against the petitioner was closed on 27.06.2023, as the dispute between the petitioner and the respondent No.3 is purely civil in nature and submitted that there is no enquiry pending and accordingly, learned Additional Public Prosecutor has also filed a copy of the closure report, which is in vernacular language.

5.Since the enquiry has already been closed by the respondent police, if at all the respondent No.3 has got any grievance still against the petitioner on criminal side, he can approach the appropriate criminal Court and file an application. No further directions can be given in this regard.

6.Accordingly, this Petition is closed.

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

17.07.2023

3/5



Crl.O.P.(MD) No.10877 of 2023

WEB COPY

To

- 1.The Superintendent of Police,
O/o. the Superintendent of Police,
Theni District.
- 2.The Inspector of Police,
O/o. the Inspector of Police,
District Crime Branch,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.10877 of 2023

DR.D.NAGARJUN. J.

mm

Crl.O.P.(MD)No.10877 of 2023

17.07.2023