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Crl.O.P.(MD)No.13015 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.08.2023**

CORAM:

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

Crl.O.P.(MD) No.13015 of 2023

C.Mariselvam

... Petitioner

Vs.

- 1.The City Commissioner of Police,
Madurai City.
- 2.The Inspector of Police,
C-4 Thilagarthidal P.S (Cri) Madurai.
- 3.V.Balakrishnan
The Regional Manager,
R.B.L.Bank Limited,
98, Vakkil New Street,
Simmakkal, Madurai-01.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent herein not to harass the petitioner and his family members under the pretext of an enquiry on the impugned complaint of the third respondent.

For Petitioner : Mr.M.Michael Bharathi

For Respondents : Mr.S.S.Madhavan
Government Advocate (Crl.Side)
for R1 and R2



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Mr.Mani Anandh
for M/s.S.Babu for R3

ORDER

This Criminal Original Petition is filed seeking for a direction to the second respondent Police not to harass the petitioner and his family members under the guise of a complaint allegedly given by the third respondent.

2. According to the learned counsel appearing for the petitioner, the petitioner was working as Relationship Manager and a complaint has been given by the third respondent herein that the petitioner has misappropriated the bank money to the tune of Rs.15,00,000/- (Rupees Fifteen Lakhs only). On appearance before the respondents Police, the respondents Police stated to have obtained an undertaking forcibly from the petitioner for which the petitioner's mother-in-law and brother were forced to sign as witnesses.

3. It is submitted by the learned counsel appearing for the third respondent Bank that the petitioner having collected money from the customers of the Bank failed to deposit the same in the Bank, thereby, he has swindled the money of the customers of the third respondent Bank.



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4. The learned Government Advocate (criminal side) appearing for the official respondents submits that total number of persons who suffered in the hands of the petitioner are increasing day by day and the case will have to be investigated by City Crime Branch and thereby, he submits that the steps are being taken to see that the case is being investigated by City Crime Branch.

5. Considering the submissions made by both sides, this Criminal Original Petition is disposed of directing the Police to initiate appropriate action if the Police are of the materials to hold that the petitioner had committed some offence. Otherwise, the Police are not expected to harass the petitioners without following the due process of law. The petitioner is directed to co-operate for the enquiry or the investigation of the Police in case he requires.

Index : Yes/No
Internet : Yes/No
ssb

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To

- 1.The City Commissioner of Police,
Madurai City.
- 2.The Inspector of Police,
C-4 Thilagarthidal P.S (Cri) Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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