



Crl.O.P.(MD)No.13021 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.07.2023**

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No.13021 of 2023

Suguna

... Petitioner

Vs.

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

2.The Inspector of Police,
District Crime Branch,
Thanthonimalai,
Karur, Karur District.

3.Govindaraj

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent Police not to interfere with the money dispute and not to harass the petitioner under the guise of enquiry into the complaint lodged by the third respondent by considering the petitioner representations dated 06.09.2022 and 13.07.2023.

For Petitioner : Mr.V.Sukumar

For R1 and R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the second respondent Police not to harass the petitioner basing on the complaint lodged by the third respondent.

2. It is submitted by the learned counsel appearing for the petitioner that the third respondent has borrowed huge money from the petitioner and many others by executing fake documents and that the petitioner has filed a suit in O.S.No.469 of 2014 before the Principal Sub Court, Karur for recovery of money and the said suit was decreed. Thereafter, the petitioner stated to have filed an Execution Petition which is still pending for recovery of money. It is submitted that the third respondent has filed a private complaint on the file of the Judicial Magistrate No.1, Karur and the learned Judicial Magistrate stated to have referred the same to the second respondent Police for preliminary enquiry. It is represented that the petitioner has appeared twice in the said enquiry. In spite of that, the second respondent Police are repeatedly asking the petitioner to appear.



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3. The learned Government Advocate (criminal side) appearing for the respondents Police, on the other hand, submits that the petitioner is being summoned under Sections 160 and 91 Cr.P.C for enquiry in C.M.P.No.2220 of 2021 and that the second respondent Police have never harassed the petitioner and the purpose for issuing the summons is only in respect of an enquiry as directed by the learned Judicial Magistrate No.1, Karur. It is submitted that the respondents Police would complete the enquiry within a period of four weeks and submit a report before the trial Court.

4. Since the summons issued are only as per the directions of the learned Judicial Magistrate, no orders can be passed in this petition. However, the respondents Police are directed to complete the investigation and submit a report before the trial Court within a period of four weeks from the date of receipt of a copy of this order.



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5. Accordingly, this Criminal Original Petition is disposed

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20.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ssb

To

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

2.The Inspector of Police,
District Crime Branch,
Thanthonimalai,
Karur, Karur District.

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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