



Crl.O.P(MD)No.13723 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:01.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P(MD) No.13723 of 2023

Ms.Sheela Mohan

... Petitioner

Vs

1.State Rep. by its
Inspector of Police,
Bodi Town Circle,
Theni District.

2.Mr.Sayed Ibrahim

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.G.Krishnamurthy

For R1 : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)

For R2 : Mr.K.Prakash

ORDER

This Criminal Original Petition is filed seeking for a direction to

<https://www.mhcdn.gov.in/judis> the first respondent police not to harass the petitioner.



Crl.O.P(MD)No.13723 of 2023

2. The learned counsel appearing for the petitioner submitted that the petitioner is an Architect and interior designer and entered into an agreement with the second respondent for doing interior work for a sum of Rs.25,00,000/- and received a sum of Rs.10,00,000/- and requested to give two more lakhs for paying the workers but the same was not paid and thereby, the dispute arose, on which the second respondent has filed a complaint before the first respondent police, basing on which, the first respondent has been harassing the petitioner.

3. Mr.K.Prakash, learned counsel representing second respondent intervened and submitted that out of Rs.25,00,000/-, the second respondent has paid a sum of Rs.16,00,000/-, however, the petitioner has not even complete the 10% of work as agreed.

4. The learned Government Advocate (Crl.side) appearing for the first respondent on the other hand submitted that based on the representation of the second respondent, which was received through the higher officials, current paper number is allotted and summons have been issued to the petitioner asking her to appear before the respondent police and instead of appear before the respondent police, the petitioner has approached this Court.



Crl.O.P(MD)No.13723 of 2023

5. The dispute between the petitioner and the second respondent appears to be Civil in nature. Even then once summons have been issued and the same was received, the petitioner has to appear before the respondent police and to explain the case.

6. Considering the same, this Criminal Original Petition is disposed of directing the petitioner to appear before the first respondent in response to the summons and on such appearance, the first respondent is directed to dispose of the complaint, as quickly as possible, not later than two weeks from the date of receipt of a copy of this order.

NCC:yes/no
Index:yes/no
Internet:yes/no
am

01.08.2023

To

- 1.The Inspector of Police,
Bodi Town Circle,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.13723 of 2023

DR.D.NAGARJUN, J.

am

Crl.O.P.(MD)No.13723 of 2023

01.08.2023