



Crl.O.P(MD)No.13719 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:01.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P(MD) No.13719 of 2023

1.P.Venkatesan

2.P.Chokkalingam

... Petitioner

Vs

1.The Commissioner of Police,
O/o.The Commissioner of Police,
Madurai.

2.The Inspector of Police,(Law and Order),
Thilaharthidal Police Station,
Madurai.

3.Shankar,
S/o.Father's name not known,
Inspector of Police, (Law and Order),
Thilaharthidal Police Station,
Madurai.

4.Elango

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 2 & 3 not to harass the petitioners in the guise of enquiry.



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For Petitioner : Mr.B.N.Raja Mohamed
For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)
For R4 : Mr.D.Balamurugapandi

ORDER

This Criminal Original Petition is filed seeking for a direction to the respondents 2 & 3 not to harass the petitioners on a complaint alleged to have been given by the fourth respondent, who is the friend of third respondent.

2. It is submitted that petitioners have borrowed a sum of Rs. 3,80,000/- from the fourth respondent and repaid. But, the fourth respondent has given a false complaint before the third respondent, who is the friend of the fourth respondent, basing on the said complaint, the third respondent, without following the due process, has called the petitioners and harassed them and 4th respondent also made an attempt to assault the petitioners. The learned counsel appearing for the petitioner submitted that the petitioners have got the grievance against the third respondent in respect of the assault made by the third respondent in the police station on 18.06.2023, therefore, sought for a direction.

3. The learned Government Advocate (Crl.side) appearing for the respondents 1 to 3 on the other hand submitted that the third respondent has



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received the complaint from the fourth respondent, thereby, issued summon to the petitioner, dated 19.07.2023 and the petitioner after receiving the summon failed to appear before the respondent police and filed the present petition.

4. Mr.D.Balamurugapandi, learned counsel appearing for the fourth respondent submitted that the petitioners have borrowed money by pledging a forged document, thereby, committed the offence of cheating. On account of which, the fourth respondent has filed the complaint before the third respondent and the enquiry is being conducted.

5. Considering the said submissions made by the learned counsel for the petitioner, learned Government Advocate (Crl.side) appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent, since the third respondent has initiated enquiry by issuing summons on 19.07.2023, the petitioners are directed to appear before the third respondent and submit their version of the case and based on which, the third respondent is directed to dispose of the representation as quickly as possible, not later than two weeks from the date of receipt of the order scrupulously by following the procedure.



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6. Accordingly, this Criminal Original Petition is disposed of.

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NCC:yes/no
Index:yes/no
Internet:yes/no
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To

- 1.The Commissioner of Police,
Madurai.
- 2.The Inspector of Police,(Law and Order),
Thilaharthidal Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

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