



CRL.O.P.(MD)No.13855 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.13855 of 2023

V.Ananth Bhaathi

... Petitioner

Vs

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur.

2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Pattukkottai, Thanjavur District.

3.Sivakumar

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the second respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.B.N.Raja Mohamed

For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C seeking for a direction to respondent No.2 Police not to harass the petitioner under the guise of a complaint allegedly given by respondent No.3.



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2. It is submitted by learned counsel for the petitioner that the petitioner initially has borrowed an amount of Rs.5,00,000/- (Rupees Five Lakhs only) from the third respondent and was not able to pay on account of paucity of funds. Accordingly, the petitioner has offered to sell his land to the third respondent, for which, respondent No.3 also agreed. Subsequently, respondent No.3 has paid a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the petitioner, but failed to pay the balance of amount. It is further alleged that respondent No.3 instead of making the payment of balance of amount as agreed to purchase the land belonging to the petitioner has filed a complaint before respondent No.2 Police, who has been harassing the petitioner.

3. Learned Government Advocate on the other hand, submits that the petitioner has executed unregistered mortgage deed in favour of respondent No.3, by way of borrowing money and the petition filed by respondent No.3 is numbered as current paper and enquiry is being initiated and requested time to complete the entire investigation.

4. Considering the submissions made on either side and on going through the records, this Criminal Original Petition is disposed of, directing the respondents 1 and 2 Police to dispose of the representation received by respondent No.2 as the current paper within a period of two weeks by following



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due process of law and it is needless to say that, in case, if the dispute between the petitioner and third respondent is to civil in nature, the Police have no role to play.

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

tsg

To

- 1.The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur.
- 2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Pattukkottai, Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

tsg

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