



CrI.O.P.(MD)No.14447 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.10.2023**

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CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

CrI.O.P.(MD)Nos.14447 and 14497 of 2023

1.V.Chandrasekaran
2.Parameshwari
3.C.Jegadheesan

... Petitioners in CrI.O.P.(MD)No.
14447 of 2023

Nagulsamy

... Petitioner in CrI.O.P.(MD)No.
14497 of 2023

Vs.

1.The Inspector of Police,
District Crime Branch,
District Police Office,
Karur-639 007.

2.The Sub Inspector of Police,
District Crime Branch,
District Police Office,
Karur-639 007.

3.Nagulsamy

...Respondents in CrI.O.P.(MD)No.
14447 of 2023

[3rd respondent is impleaded vide Court order dated 05.10.2023]

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



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2.The Deputy Superintendent of Police,
Thathonimalail, Karur,
Karur District.

3.The Inspector of Police,
District Crime Branch,
Thanthonimalail,
Karur,
Karur District.

4.The Sub Inspector of Police,
District Crime Branch,
Thanthonimalai,
Karur, Karur District.

5.Saraswathi Educational Trust,
Rep.by its Managing Trustee,
V.Chandrasekaran,
S/o.Velayutham,
Thaneerpanthalpalayam,
Minampalli Post,
Manmangalam Taluk,
Karur District.

6.Saraswathi Educational Trust,
Rep by its Trustee,
Parameshwari,
W/o.V.Chandrasekaran,
Thaneerpanthalpalayam,
Minampalli Post,
Manmangalam Taluk,
Karur District.

7.Saraswathi Educational Trust,
Rep.by its Trustee,
Jegadeesan,
S/o.V.Chandrasekaran,
Thannerpanthalpalayam,
Minampalli Post,
Manmangalam Taluk,
Karur District,



Now residing at
No.9/40, Andavar Plaza,
Madurai Bye Pass Road,
Karur, Karur District.

...Respondents in Crl.O.P.(MD)No.
14497 of 2023

PRAYER in Crl.O.P.(MD)No.14447 of 2023: Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue suitable direction directing the respondents not to harass the petitioners on the guise of enquiry.

PRAYER in Crl.O.P.(MD)No.14497 of 2023: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to withdraw the investigation of the petitioner's complaint dated 10.07.2023 on the file of the fourth respondent herein and to transfer the same not below the rank of the Deputy Superintendent of Police i.e., 2nd respondent herein.

For petitioner : Mr.V.Nagarajan
For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

in Crl.O.P.(MD)No.14447 of 2023
For Petitioner : Mr.A.Saravanan
in Crl.O.P.(MD)No.14497 of 2023
For R1 to R4 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

COMMON ORDER

Crl.O.P.(MD)No.14447 of 2023 has been filed seeking direction to the respondent police not to harass the petitioners therein under the guise of enquiry and Crl.O.P.(MD)No.14497 of 2023 has been filed seeking to



transfer the investigation of the complaint of the petitioner from the file of the fourth respondent to some other competent official.

2.The learned counsel for the petitioners in Crl.O.P.(MD)No.14447 of 2023 would submit that though the petitioners have given proper reply to the summons issued by the respondent police with regard to the complaint made by the third respondent, the respondent police are harassing the petitioner under the guise of enquiry.

3.The learned counsel for the petitioner in Crl.O.P.(MD)No.14497 of 2023 would submit that the petitioner made a complaint on 10.07.2023 before the first respondent stating that the private respondents herein had defrauded the petitioner and thereafter, sent a registered complaint to all the respondent police. The fourth respondent, who is the investigating officer, is prolonging the matter without any progress stating that the dispute between the parties is civil in nature. Hence, he prays to transfer the investigation from the fourth respondent.

4.Mr.M.Sakthi Kumar, learned Government Advocate (Crl.side) accepts notice for the official respondents. He would submit that the petitioners in Crl.O.P.(MD)No.14447 of 2023 were asked to produce



some documents as the dispute between the parties is relating to money transaction. However, without producing any documents, they simply filed the present petition and absolutely, there is no question of harassing the petitioner. Further, the case of the petitioner in Crl.O.P.(MD)No. 14497 of 2023 is under investigation and the same will be completed within a short time.

5.Considering the facts and circumstances of the case, the respondent police is directed to complete the investigation on the complaint given by the defacto complainant within a period of one month from the date of receipt of a copy of this order. Further, if there is any trouble to the petitioners in Crl.O.P.(MD)No.14447 of 2023 during the course of enquiry, they are at liberty to work out their remedy through appropriate proceedings.

6.With the above directions, these Criminal Original Petitions are disposed of.

05.10.2023
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Index : Yes/No
Internet : Yes/No
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Crl.O.P.(MD)No.14447 of 2023

To

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- 1.The Superintendent of Police,
Thathonimalai, Karur,
Karur District.
- 2.The Deputy Superintendent of Police,
Thathonimalail, Karur,
Karur District.
- 3.The Inspector of Police,
District Crime Branch,
Thanthonimalail,
Karur, Karur District.
- 4.The Sub Inspector of Police,
District Crime Branch,
Thanthonimalai,
Karur, Karur District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CrI.O.P.(MD)No.14447 of 2023

G.ILANGOVAN. J.

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05.10.2023
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