



CrI.O.P.(MD) No.15233 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.15233 of 2023

Mohan

... Petitioner

Vs.

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Alagarkovil Road, Madurai City – 625 002.
- 2.The Inspector of Police,
Central Crime Branch (CCB),
Viswanathapuram, Madurai City – 625 014.
- 3.The Sub Inspector of Police,
Central Crime Branch (CCB),
Viswanathapuram, Madurai City – 625 014.

4.Sattanathan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Respondent No.2 and 3 not to harass the petitioner and his family members in the guise of enquiry.



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For Petitioner : Mr.R.Karunanidhi
For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (crl.side)
For R4 : Mr.V.R.G.Mohan

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the respondent Nos.2 and 3 police not to harass the petitioner and his family members under the guise of enquiry in respect of the complaint allegedly filed by the respondent No.4.

2.It is submitted by the learned counsel for the petitioner that there are transactions in respect of pledging the jewelry and redeeming it between the petitioner and the respondent No.4, who is the Manager of Best Money Gold and in respect of that, the respondent No.4 has filed a complaint before the respondent No.3 police, basing on which the petitioner has been harassing by the respondent No.3 asking him to give an undertaking that he would pay an amount of Rs. 4,00,000/- to the respondent No.4, thereby sought for suitable directions.



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3.Mr.V.R.G.Mohan, learned counsel for the respondent No.4 submits that the petitioner has to pay an amount of Rs.22,80,000/-, which he has promised to repay and accordingly, a complaint is filed before the police and an enquiry is being initiated.

4.The learned Government Advocate (Crl.side) submits that the police have received a complaint through the respondent No.1/the Commissioner of Police and the same was registered as C.No.82/COMP/PG/COP/Petition/23 and an enquiry is being initiated. The petitioner without cooperating for the enquiry has approached this Court and filed this petition. It is submitted that the respondent No.3 police have issued summons, thereby the petitioner appeared before the police on 14.07.2023 and requested time to appear further along with the relevant document, but failed to appear.

5.Considering the submissions made by the learned counsel on either side and since the enquiry on the complaint given by the respondent No.4 is still pending, the petitioner is directed to appear before the police for enquiry, on which the respondent police are directed to complete the enquiry within a period



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of two weeks thereafter, by following due process of law. Since the issue is placed before the Court and it appears that the dispute between the petitioner and the respondent No.4 is a breach of contract, the respondent police are at liberty to initiate action, in case if any criminal offence is committed and if it is civil in nature, the police shall advise the parties to approach the civil Court appropriately.

6.With the above directions, this Petition is disposed of.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

31.08.2023

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To

1.The Commissioner of Police,
Office of the Commissioner of Police,
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2.The Inspector of Police,
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Viswanathapuram, Madurai City – 625 014.

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- 3.The Sub Inspector of Police,
Central Crime Branch (CCB),
Viswanathapuram, Madurai City – 625 014.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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