



CrI.O.P.(MD) No.16978 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.09.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD)No.16978 of 2023

Mathan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Panakudi Police Station,
Panakudi, Tirunelveli District.

3.Suriya Narayanan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Respondent No.2 to not to harass the petitioner and her family members in the name of enquiry by considering the petitioner's representation dated 14.09.2023 in accordance with law within the time stipulated by this Court.

For Petitioner
For R1 and R2

:Mr.S.Abdul Rahuman
:Mr.S.S.Madhavan
Government Advocate (Criminal.Side)



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ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the respondent No.2 police not to harass the petitioner, by considering the petitioner's representation dated 14.09.2023.

2.It is submitted by the learned counsel for the petitioner that there are disputes between the petitioner and the respondent No.3 and on the basis of the complaint given by the respondent No.3, the respondent police allegedly have been harassing the petitioner, thereby the petitioner has filed a representation dated 14.09.2023. However, the same has not been disposed of. It is further submitted that the respondent police have threatened the petitioner to return the cheque.

3.The learned Government Advocate (Crl.side) submits that the respondent No.3 has filed a complaint against the petitioner stating that the petitioner has misappropriated the cheque belonging to the respondent No.3 and filed a complaint before the Court under Section 138 of Negotiable Instruments Act and



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with regard to that, CSR has been issued and the enquiry is pending and the petitioner is not cooperating.

4.Considering the submissions made by the learned counsel on either side and on perusal of the records, this Petition is disposed of directing the petitioner to appear before the respondent police on receipt of summons for enquiry and submit all the documents and on such appearance, the respondent police shall complete the investigation as quickly as possible, not later than two weeks from the date of receipt of a copy of this order. In fact these kind of complaints would normally come in order to get over the liability before the criminal Court under 138 NI Act and therefore, when the matter has been seized by the civil Court, the respondent police shall not normally interfere unless the offence is already committed.

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

22.09.2023

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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.
- 2.The Inspector of Police,
Panakudi Police Station,
Panakudi, Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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