



Crl.O.P.(MD) No.17164 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2023

CORAM:

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

Crl.O.P.(MD)No.17164 of 2023

Periyasamy

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai, Sivagangai District.

2.The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.

3.Ramesh

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the 2nd Respondent not to harass the petitioner by compelling him to hand over his tractor or money of Rs.2,00,000/- before the 2nd respondent's police station without following due process of law on the basis of the petitioner's complaint dated 18.09.2023.

For Petitioner
For R1 and R2

:Mr.T.Joshua
:Mr.B.Thanga Aravindh
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 police not to harass the petitioner asking to pay a sum of Rs.2 lakhs.

2.It is submitted by the learned counsel for the petitioner that the petitioner has purchased a Tractor from one Balaji for a sum of Rs.6 lakhs, for which he has paid Rs.40,000/- to the said Balaji and rest of the amount was completely paid to the HDFC Bank, as the said vehicle was purchased under higher purchase agreement by borrowing finance from the HDFC Bank. The petitioner has also taken 'No Objection Certificate' from the Bank and the process is initiated to transfer the said vehicle in the name of the petitioner. It is submitted that the respondent No.3, who is noway connected with the said transaction and who mediated at the time of purchase, has filed a false complaint, basing on which the police have been harassing the petitioner.

3.The learned Government Advocate (Crl.side) submits that the complaint given by the respondent No.3 is registered as CSR.No.512 of 2023 and during the



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course of enquiry, the petitioner though appeared, he requested time to produce the documents, but subsequently failed to turn up. It is submitted further that the respondent police have never harassed the petitioner.

4.Since the enquiry in respect of the complaint filed by the respondent No.3 is still pending, this Petition is disposed of directing the petitioner to appear before the police for enquiry along with all the relevant documents, on which the respondent police are directed to complete the enquiry and dispose of the same as quickly as possible, not later than two weeks from the date of receipt of a copy of this order.

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

26.09.2023

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To

- 1.The Superintendent of Police,
Sivagangai, Sivagangai District.
- 2.The Inspector of Police,
Devakottai Town Police Station,

3/5



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3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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