



CrI.O.P.(MD) No.19040 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.19040 of 2023

Selvakumar

...Petitioner

Vs.

1.The Inspector of Police,
District Crime Branch,
Kanniyakumari District.

2.Susindhra n

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction, directing the 1st Respondent to not to harass the petitioner under the guise of enquiry.

For Petitioner :Mr.K.Navaneetharaja

For 1stRespondent :Mr.M.Sakthi Kumar

Government Advocate (CrI. Side)

ORDER

This petition is filed seeking direction to the first Respondent not to harass the petitioner under the guise of enquiry.



Crl.O.P.(MD) No.19040 of 2023

WEB COPY

2.The learned counsel for the petitioner would submit that because of the money transactions issue between the parties, the petitioner alleged to have issued cheques towards discharge of the liability. Over which, the complainant/second respondent gave a legal notice on 20.07.2023 stating the above said facts. But within four days, he gave a complaint before the Superintendent of Police, Nagercoil, stating that promising to secure job in a private college, this petitioner alleged to have received money, later failed to pay. The above said complaint was closed, after enquiry. He would further submit that with regard to the above said transactions, no proper documents were produced by the complainant/second respondent. He would further submit that for the very same issue, another complaint was given, which cannot be enquired by the first respondent herein.

3.The learned Government Advocate (Crl. Side) would submit that during the course of the enquiry, it was found that in respect of the issue between the parties, proceedings under Section 138 of Negotiable Instrument Act is also pending. So the complaint was closed directing the parties to work out their remedy in the pending proceedings itself. In respect of the another complaint only, the petitioner was summoned.



Crl.O.P.(MD) No.19040 of 2023

WEB COPY

4.Let the petitioner respondent appear before the first respondent and produce the documents namely legal notice and copy of the complaint under Section 138 of NI Act against the petitioner and the earlier proceedings. Let the above said complaint be closed within a period of 15 days from the date of copy of this order and the parties are advised to work out their remedy through appropriate process and also in the pending matter.

5.With the above directions, this Criminal Original Petition is disposed of.

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

20.10.2023

VSG

To

1.The Inspector of Police,
District Crime Branch,
Kanniyakumari District.

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

3/4



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Crl.O.P.(MD) No.19040 of 2023

G.ILANGOVAN. J.

VSG

Crl.O.P.(MD)No.19040 of 2023

20.10.2023