



CrI.O.P.(MD) No.3293 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.3293 of 2024

C.Ashok

...Petitioner

VS

**1.The Commissioner of Police,
Trichy City.**

**2.The Inspector of Police,
City Crime Branch,
Cantonment,
Trichy.**

3.M.Mumtaj Begum

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the 2nd Respondent not to interfere with the civil dispute by strictly complying with the above circular issued by the Additional Director General of Police.

For Petitioner : Mr.B.Jameelarasu

**For R1 & R2 : Mr.M.Veeranthiran
Government Advocate (Crl.side)**



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ORDER

The learned Counsel for the Petitioner submits that the Petitioner and the third Respondent are neighbours. The third Respondent had borrowed money for a sum of Rs.49,00,000/- on various occasions. When the Petitioner insisted for repayment of loan, the third Respondent is alleged to have executed an unregistered sale agreement. Even though the third Respondent had executed an unregistered sale agreement, the Petitioner had filed a suit in O.S.No.305 of 2021 on the file of the learned 1st Additional District Munsif, Trichy for recovery of Rs.49,00,000/-, for which the Petitioner had paid the Court fee of Rs.1,49,820/-. While so, summons were served on the third Respondent. She had entered appearance and disputed the claim by filing written statement. When the suit is pending for trial, the third Respondent, who is the defendant in O.S.No.305 of 2021, had approached the first Respondent with false allegations that the Petitioner is alleged to have threatened her for recovery of money. Based on the complaint of the third Respondent, the first Respondent had forwarded the same to the second Respondent. The second Respondent had summoned the Petitioner. The Petitioner appeared before the second Respondent and



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explained the facts of the case by furnishing all relevant documents including the copy of the suit filed by him. Still, the second Respondent is interfering in the civil dispute, which is against the circular of the Director General of Police, Head of State Police Force, Tamil Nadu State, Chennai -4 issued in Rc.No.892914/X1/2020 dated 12.03.2021. Therefore, the Petitioner was forced to file this Petition seeking direction against the second Respondent not to interfere in the civil dispute.

2.The learned Government Advocate (Crl.side), on instructions of the Respondents 1 and 2, submits that the third Respondent is alleged to have borrowed only a sum of Rs.10,00,000/-. By way of re-payment towards principle and interest, she had repaid Rs.34,00,000/-. Therefore, she had approached the Court of the learned Judicial Magistrate No.1, Trichy by filing C.r.M.P.No.13290 of 2023 under Section 156(3) Cr.P.C.

3.After due enquiry, the learned Judicial Magistrate No.1, Trichy, by order dated 04.05.2023, directed the second Respondent herein to hold enquiry and to register a case, if any cognizable offence is made out. In the light of the order passed by the learned Judicial Magistrate No.1, Trichy, the



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second Respondent had held enquiry. The Petitioner did not appear for enquiry.

4.In the light of the submission made by the learned Counsel for the Petitioner and the learned Government Advocate (Crl.side), the Respondents 1 and 2 are directed to act as per the circular of the Director General of Police, Head of State Police Force, Tamil Nadu State, Chennai -4 issued in Rc.No.892914/X1/2020 dated 12.03.2021 and pass appropriate orders informing the learned Judicial Magistrate No.1, Trichy.

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

Internet:Yes./No
Index:Yes/No
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To

1.The Commissioner of Police,
Trichy City.

2.The Inspector of Police,
City Crime Branch,

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Cantonment,
Trichy.

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



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SATHI KUMAR SUKUMARA KURUP, J.

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