



Crl.O.P.(MD) No.3290 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.3290 of 2024

1.S.Radhakrishnan

2.Prasanth

...Petitioners

vs

1.The Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
Thiruthangal Police Station,
Sivakasi Taluk,
Virudhunagar District.

3.Sripathi Papers and Board Pvt Ltd.,
Register Office at Old No.1680/31,
New.No.994, Second Floor,
Ramanies Regency
Coimbatore 641 045.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the 2nd Respondent not to harass and not to interfere the civil dispute between the Petitioners and the 3rd Respondent herein.



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For Petitioners : Mr.S.Karthik

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

ORDER

The learned Counsel for the Petitioners submits that the third Respondent had engaged the first Petitioner as an Export Agent for exporting products to Srilanka. In the due course of business transaction, the Petitioners herein had issued cheques in favour of the third Respondent. Subsequently, there had been dispute between them in the business transaction. Therefore, the Petitioners had not given any order to the third Respondent. The third Respondent had filed a private complaint under Section 138 of Negotiable Instruments Act, 1881, in which the Petitioners herein are arrayed as accused and that is proceeding before the learned Judicial Magistrate No.1, Sivakasi in STC.No.13 of 2024. While so, for the same cause of action, the third Respondent had approached the second Respondent, based on which the second Respondent had been summoning the Petitioners. Therefore, the Petitioners were forced to file this Petition seeking direction against the second Respondent not to harass the



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Petitioners and not to interfere in the civil dispute between the Petitioners and the third Respondent herein.

2.The learned Government Advocate (Crl.side), on instructions of the Respondents 1 and 2, submits that the third Respondent had preferred a complaint through Post, which was received by the second Respondent, for which CSR.No.634 of 2023 was registered and the Petitioners were summoned to conduct the enquiry. The Petitioners agreed to furnish documents. Instead of furnishing documents, they had approached this Court. He would further submit that the Police are ready to abide by 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 to conclude the enquiry.

3.Considering the submission made by the learned Counsel for the Petitioners and the learned Government Advocate (Crl.side), the Respondents 1 and 2 are directed to strictly adhere by 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 warning the



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Field Officers across the State not to entertain any complaints involving property dispute and money dispute. The second Respondent is warned that any violation of the said circular will invite disciplinary action against him/her.

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

Internet: Yes./No
Index: Yes/No
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01.03.2024

To

- 1.The Superintendent of Police,
Virudhunagar District.
- 2.The Inspector of Police,
Thiruthangal Police Station,
Sivakasi Taluk,
Virudhunagar District.
- 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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