



CrI.O.P.(MD) No.3796 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.3796 of 2024

Vimalraj,

... Petitioner

Vs

1. The Superintendent of Police,
Superintendent of Police Office,
Theni District.

2. The Deputy Superintendent Of Police,
Deputy Superintendent of Police Office,
Aundipatty, Theni District.

3. The Inspector of Police,
Aundipatty Police Station,
Aundipatty,
Theni District.

4. The Sub Inspector of Police,
District Crime Branch,
Theni District.

5. S.N.Marimuthu,

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to direct the Respondents 2 and 3 not to harass the petitioner



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mentally and physically in the guise of enquiry.

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For Petitioner : Mr.J.Sulaiman Basha
For R1 to R4 : Mr.M.Veeranthiran
Government Advocate (Crl. side)

ORDER

The learned Counsel appearing for the Petitioner submitted that the Petitioner had filed this petition seeking a direction against the Respondents 1 to 4 not to harass the Petitioner on the guise of the enquiry. It is the further submission of the learned Counsel appearing for the Petitioner that the fifth Respondent had given a complaint to the fourth Respondent. Based on which, the fourth Respondent had summoned the Petitioner.

2.It is the contention of the learned Counsel for the Petitioner that there was a dispute between the Petitioner and the fifth Respondent which relates to bouncing of cheque, for which, the fifth Respondent is entitled to file a private complaint under Section 138 of Negotiable Instruments Act. Instead, he had given a complaint against the Petitioner before the third Respondent, which was enquired and closed. Subsequently, the fifth



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Respondent had approached the fourth Respondent. Now, the fourth Respondent had issued summons to the Petitioner. It is nothing but harassment. It is the further submission of the learned Counsel for the Petitioner that the fifth Respondent had issued a lawyer notice for which, the Petitioner herein had replied.

3.The learned Government Advocate(Crl.Side) submit that based on the complaint given by the fifth Respondent, CSR was registered. In the light of the circular issued by the Director General of Police, Head of Police Force, Tamil Nadu State, Chennai -4 issued in Rc.No.892914/X1/2020 dated 12.03.2021 and the circular of the Additional Director General of Police, Chennai, issued in C.No.18/ADGP/L & O/Camp/2024 dated 09.01.2024, the learned Government Advocate (Crl.Side) undertakes to close the enquiry.

4.Since it is made clear in 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 that the Field Officers shall not entertain any dispute regarding property and money, the Respondents 2 to 4



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are warned that they will invite departmental action, if they violate the said circular of the Director General of Police, Head of State Police Force, Tamil Nadu State, Chennai -4.

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

11.03.2024

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

LR

To
1. The Superintendent of Police,
Superintendent of Police Office,
Theni District.

2. The Deputy Superintendent Of Police,
Deputy Superintendent of Police Office,
Aundipatty, Theni District.

3. The Inspector of Police,
Aundipatty Police Station,
Aundipatty,
Theni District.

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4. The Sub Inspector of Police,
District Crime Branch,
Theni District.

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



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SATHI KUMAR SUKUMARA KURUP, J.

LR

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