



Crl.O.P.(MD)No.9938 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.9938 of 2024

1.Pakiyamani

2.Robinson Chelladurai

... Petitioners

Vs.

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

2.Kennady,
Deputy Superintendent of Police,
Sathankulam Sub Division,
Thoothukudi District.

3.The Inspector of Police,
Sathankulam Police Station,
Sathankulam
Thoothukudi District.

4.Dennis Packiyanathan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to issue a direction to the second and third respondents not to harass the petitioner and her family members on the basis of the representation dated 28.06.2024.



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For Petitioners	: Mr.R.Anand
For R1 to R3	: Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor.
For R4	: Mr.K.P.Narayanakumar

ORDER

The petitioners, with an allegation that the official respondents are harassing them under the guise of an enquiry, have approached this Court.

2.The learned counsel appearing for the fourth respondent submits that the fourth respondent has not lodged any complaint as against the first petitioner, however, a complaint has been lodged as against the second petitioner. The second petitioner is the 2nd son of the first petitioner. According to him, the first petitioner's 1st son is running a business in the name of IPR Integrated Firm, which is dealing with veterinary, animal husbandry and ancillary products and he has approached the fourth respondent on 20.11.2022 and borrowed a sum of Rs.40,00,000/- and has also made the fourth respondent as a partner in



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his business and he committed suicide on 03.06.2024. Thereafter, the second petitioner has taken over the business and he refused to give the share of the fourth respondent. Therefore, the fourth respondent has lodged a complaint as against the second petitioner alone before the third respondent Police.

3.The learned Additional Public Prosecutor appearing for the official respondents by relying upon the counter affidavit filed by the second respondent submits that the fourth respondent has lodged a complaint before the first respondent and the same was forwarded to the second respondent for enquiry and they have conducted enquiry. Further, he submits that they have not harassed the petitioners.

4.The petitioners have made allegation that on the behest of the fourth respondent, the official respondents are harassing them.

5.This Court considered the rival submissions made on either side.

6.Admittedly, one Prabhakar Bheem Singh, who is son of the first petitioner and brother of the second petitioner, has received money from the fourth respondent and made him as Partner in the business and



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thereafter, committed suicide along with his wife. For the loss suffered by the fourth respondent, after the demise of the said Prabhakar Bheem Singh, it appears that the fourth respondent has stolen the pigs from the farm.

7.The official respondents claim that they have conducted petition enquiry, based on the complaint of the fourth respondent. The allegations and counter allegations appear to be civil in nature, which has to be worked-out by the fourth respondent only before the competent civil Court.

8.The official respondents are not expected to interfere in the civil dispute. Accordingly, this criminal original petition is allowed and the official respondents are directed not to harass the petitioners.

15.07.2024

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

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Thoothukudi District.
- 3.The Inspector of Police,
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Sathankulam
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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