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Crl.O.P.(MD)No.19480 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19480 of 2024

Kt.Selvam

: Petitioner

Vs.

The State of Tamil Nadu rep., by

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

2.The Deputy Superintendent of Police,
District Crime Branch,
Pudukkottai, Pudukkottai District.

3.The Inspector of Police,
District Crime Branch,
Pudukkottai, Pudukkottai District.

4.Rahamathullah

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to direct the third respondent herein not to harass the petitioner for repaying the amount with gaining to the fourth respondent under the guise of enquiry.

For Petitioner : Mr.NA.Palaniyandi

For R1 to R3 : Mr.A.Thiruvadikumar
Additional Public PROsecutor



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ORDER

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The petitioner sent a representation to the respondent 1 and 2 on 07.11.2024 and filed this petition seeking direction to the second respondent police not to harass him under the guise of enquiry.

2. From the representation sent, it is seen that the petitioner was running chit collecting money from various subscribers. Since some of the subscribers have not paid the chit amount, the petitioner was unable to continue with the chit and he became a defaulter. The subscribers of the chit had lodged a complaint against the petitioner. The petitioner is ready to pay the subscribed amount deducting the amount given to the subscribers, but the subscribers are demanding entire amount projecting as a money transaction. One Rahamadullah had lodged complaint before the District Crime Branch, Pudukottai, third respondent, who had called the petitioner for enquiry and forced the petitioner to give undertaking that the petitioner to pay the amount on its terms to Rahamadullah. Hence, the petitioner filed this above petition.



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3. The learned Additional Public Prosecutor appearing for the respondent police, on instructions, would submit that one Rahamadullah lodged complaint against the petitioner on 10.10.2024, which was received by the Deputy Commissioner of Police on 14.10.2024 and thereafter, the petitioner appeared for enquiry on 05.11.2024 and gave an undertaking that he would settle the amount of Rs.4,59,650/- to the said Rahamadullah on or before 05.03.2025. Suppressing the same, now he had proceeded as the he has been harassed unnecessarily. The learned Additional Public Prosecutor produced a complaint copy, proceedings, statement given by the petitioner and one Rahamadullah and note, in which the subscribed chit amount has been returned. Hence, seeks dismissal of this petition.

4. In view of the above submission, the petitioner's contention of harassment is not sustainable. Accordingly, this Criminal Original Petition is dismissed.

12.11.2024

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



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- 2.The Deputy Superintendent of Police,
District Crime Branch,
Pudukkottai, Pudukkottai District.
- 3.The Inspector of Police,
District Crime Branch,
Pudukkottai, Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

Rmk

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