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Crl.O.P.(MD)No.21077 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21077 of 2024

Kannaperumal

: Petitioner

Vs.

The State of Tamil Nadu

rep., by

1.The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Kadaiyanallur Police Station,
Tenkasi District.

3.S.Dharmaselvam

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the second respondent not to harass the petitioner under the guise
of enquiry based on the complaint given by the third respondent.

For Petitioner

: Mr.M.Perumal

For R1 & R2

: Mr.P.Kottaichamy

Government Advocate (Crl.side)



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ORDER

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The petitioner had sent representation on 22.11.2024 stating that the third respondent had taken a loan of Rs.3,00,000/- from the petitioner with interest. Thereafter, he failed to pay the principal and interest. Legal notice was sent to the third respondent. But, suppressing the same, the third respondent lodged a complaint as if the petitioner had received money on the promise of getting him job.

2. The learned Government Advocate (Crl.side) submitted that the third respondent lodged a complaint against the petitioner stating that for the purpose of getting job in the Education Department, the petitioner and one Madasamy had received Rs.2,25,000/-. During enquiry, the petitioner gave some explanation that third respondent/ Dharmaselvam received money from the petitioner and thereafter, failed to repay the same and lodged a false complaint against him. The petitioner has not cheated any amount as claimed by the third respondent.

3. The learned counsel for the petitioner submitted that to show *bona fide* the petitioner will appear before the second respondent police on 13.12.2024 and give explanation.



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4. In view of the above, the second respondent to issue notice to all the necessary parties and conduct enquiry on the complaint given by the third respondent and conclude the same, preferably, within a period of two months, therefrom.

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

04.12.2024

NCC : Yes/No
Index : Yes / No
Rmk

To

- 1.The Superintendent of Police,
Tenkasi District.
- 2.The Inspector of Police,
Kadaiyanallur Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

Rmk

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