



Crl.O.P.(MD)No.22040 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.22040 of 2024

1. Ramesh
2. Selvi
3. Sindhuja
4. Balakumar

: Petitioners

Vs.

1. The Superintendent of Police
Sivagangai District
Sivagangai
2. The Deputy Superintendent of Police
Sivagangai District
Sivagangai
3. The Inspector of Police
District Crime Branch
Sivagangai District
4. Geetha @ Lakshmi

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, directing the 2nd and 3rd Respondents not to harass the petitioners frequently and repeatedly on the complain of the 4th Respondent with regard to non repayment of debt as borrowed as loan by the 2nd petitioner to the 4th petitioner forthwith.



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For Petitioner : Mr. S.Palanivelayutham
For Respondents : Mr.A.Thiruvadikumar
No.1 to 3 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents 2 and 3 to not to harass the petitioners frequently and repeatedly on the complaint given by the fourth respondent with regard to non repayment of debt as borrowed as loan by the petitioners 2 to 4 forthwith.

2. The petitioners are from one family. The fourth respondent lodged a false complaint against the petitioners stating that the petitioners had taken a sum of Rs. 25 lakhs on the promise of securing job. The complaint received and the third respondent is calling the entire family members for enquiry at odd hours and causing harassment.

3. According to the petitioners the third petitioner had taken a loan of Rs.2,00,000/- from the fourth respondent, out of which Rs.1,50,000/- have been repaid and Rs.50,000/- is due which he is making arrangement and soon to pay. Suppressing the real facts it has been projected as though the first petitioner has received a sum of Rs. 25 lakhs on the



promise of securing job, hence the respondent police without proper enquiry is harassing the petitioner.

4. The learned Additional Public Prosecutor submitted that in this case on the specific complaint given by the fourth respondent that the first petitioner in presence of the other petitioners have received a sum of Rs. 25 lakhs for securing job. It is a case of job racketing. The first petitioner in connivance with all the petitioners have committed the offence for the purpose of enquiry summons have been sent. On receipt of summons the third petitioner appeared before the third respondent and gave an undertaking that the first petitioner her father would appear and give details and now it has been termed as harassment.

5. It is seen that in this case notice has been sent for enquiry on the complaint of the fourth respondent Whatever may be the explanation and defence taken by the petitioners on receipt of summons they ought to have appeared before the respondent police and give their explanation.



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6. The learned counsel appearing for the petitioners on instructions submitted that the first petitioner will appear before the respondent police on 20.12.2024 and give his explanation.

7. In view of the same, the third respondent is directed to conduct enquiry and close the same within period of two months from 20.12.2024.

8. With the above direction, the Criminal Original Petition stands disposed of.

13.12.2024

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

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



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M.NIRMAL KUMAR,J.

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