



Crl.O.P.No.20723 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No. 20723 of 2025

V.P.Mohammed Althaf

... Petitioner

Vs.

The Deputy Superintendent of Police,
District Crime Branch,
Krishnagiri District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to issue a direction to the respondent-Police not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.S.Sathish

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition is filed seeking a direction to the respondent-Police not to harass the petitioner under the guise of enquiry.



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2. Heard the learned counsel for the petitioner and the learned

Government Advocate (Crl.Side) appearing for the respondent and perused the materials available on record.

3. Learned counsel for the petitioner submitted that the petitioner, who had running a business under the name and style of "M/s.Blue Star Metal Industries" borrowed loans from several persons and financiers and he has promptly paid part payments to the creditors. Due to Covid-19 pandemic situation, the petitioner could not be able to run his business and suffered a huge loss in the said business and that the petitioner has filed a insolvency petition in I.P.No.1 of 2025 on the file of the Principal Subordinate Court, Vellore, seeking a direction to adjudicate the petitioner and his wife as insolvent persons and the same is pending for further adjudication. While that being so, one of the creditors C.Murugan, had lodged a false complaint against the petitioner. Learned counsel further submitted that it is purely a money dispute regarding repayment of loan amount and the *de-facto* complainant without approaching the Civil Court filed a complaint. However, the respondent-Police is unnecessarily interfering with the matter and trying to give



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criminal colour and also harassing the petitioner under the guise of enquiry.

4. Learned Government Advocate (Crl.Side) appearing for respondent-Police, on instructions, submitted that based on the complaint of one C.Murugan, the respondent/Police issued summons to the petitioner for enquiry on 17.03.2025 and after conducting enquiry, it was found that it is purely money dispute between the parties and insolvency proceedings are also pending and hence, the said complaint was closed. Therefore, there is no harassment as alleged by the petitioner.

5. In view of the above submission made by the learned Government Advocate (Crl.Side), the Criminal Original Petition is closed.

23.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Deputy Superintendent of Police,
District Crime Branch,
Krishnagiri District.
2. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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