



Crl.O.P.(MD).No.2377 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.02.2025

CORAM

THE HONOURABLE **MR.JUSTICE P.DHANABAL**

Crl.O.P(MD)No.2377 of 2025

I.Babu

S/o.Ibrahimsha

... Petitioner

Vs

1. The State of TamilNadu
Rep.by the Superintendent of Police,
Sivagangai District,
Sivagangai.

2. The State of TamilNadu,
Rep. by the Deputy Superintendent of Police,
District Crime Branch,
Sivagangai District,
Sivagangai.

3. K.Shanthi,

4. Priyanka

5. R.Saranya

... Respondents

PRAYER: Criminal Original petition filed under Section 528 of BNSS Act, to direct the 1st respondent to instruct the second respondent police not to harass the petitioner under the guise of an enquiry without following due process of law, in view of the pending enquiry before the District Crime Branch, Madurai.



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For Petitioner : M/s.A.Devaki

For Respondent Nos.1 & 2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner to direct the 1st respondent to instruct the second respondent police not to harass the petitioner under the guise of an enquiry without following due process of law, in view of the pending enquiry before the District Crime Branch, Madurai.

2. According to the petitioner, the petitioner is running an educational institution in the name of Theocracy Academy, K.Pudur, Madurai. While so, in the month of April 2024, the petitioner introduced one Priyanka to R.Saranya regarding a potential temporary employment opportunity in a government department. The said Priyanka subsequently joined in the government service on 09.05.2024. After receiving the appointment order, the said Shanthi and Priyanka have transferred a sum of Rs.10,00,000/- to the petitioner's GPAY Account without his permission. Further a sum of Rs.8,00,000/- was transferred from his bank account to



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Saranya's bank account and Rs.50,000/- was transferred from GPAY account of Dr.J.Mohammed Iliyas to the GPAY Account of R.Saranya and Dr.K.Ramamoorthy. The petitioner lodged a complaint on 12.07.2024, before the Superintendent of Police, Madurai regarding unauthorized transaction. The said Priyanka has not appeared for any enquiry. In the meantime, the Priyanka lodged a complaint against the petitioner before the second respondent, alleging that the petitioner cheated her in obtaining a government job. Based on the said complaint, the second respondent now started to harass the petitioner under the guise of enquiry. Hence, the present Criminal Original Petition has been filed.

3. The learned Additional Public Prosecutor appearing for the 1 and 2 respondents would submit that based upon the complaint received by the 4th and 5th respondents, they conducted an enquiry. Only for the enquiry purpose, they called the petitioner to enquire about the allegations made as against the petitioner. The petitioner received Rs.10,00,000/- to secure job in the Income Tax Department thereafter and he failed to secure the job. Therefore, the allegations are serious in nature and the enquiry is still going on.



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4. Considering the limited scope of prayer sought for in this petition, this Court is inclined to dispose of this petition without issuing any notice to the Respondent Nos.3 to 5. Since, the petition enquiry is pending before the second respondent, it is appropriate to direct the second respondent to complete the enquiry in accordance with law within a period of one week from the date of this order. Accordingly ordered.

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

07.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
gvn



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To

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

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



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P.DHANABAL, J.

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