



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.02.2025

CORAM

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

Crl.O.P(MD)No.3860 of 2025

1. Selvakumar

2. B.M.Hariharan

... Petitioners

Vs

1. The State of Tamilnadu,
Rep by the Superintendent of Police,
O/o.The Superintendent of Police,
Theni,
Theni District.

2. The Inspector of Police,
District Crime Branch,
Theni,
Theni District.

3. The Sub Inspector of Police,
District Crime Branch,
Theni,
Theni District.

4. S.Adhi Senthil

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to issue direction to the respondents not to harass the petitioners



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and consequently directing them not to interfere with the civil dispute in the guise of enquiry.

For Petitioners : Mr.M.Sivakumar,
For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R4 : Mr.M.Maharaja

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents not to harass the petitioners and consequently directing them not to interfere with the civil dispute in the guise of enquiry.

2.According to the petitioners, the second petitioner is the Manager of the Company run by the fourth respondent and there are some disputes pending between the second petitioner and the fourth respondent in respect of the business and thereby, the fourth respondent lodged a false complaint against the petitioners. Taking advantage of the false complaint, the second and third respondents used to harass the petitioners by interfering with the civil dispute. Despite the first petitioner is no way connected with this business transactions, both the petitioners have appeared before the respondent police for enquiry, even after that, they



insisted to appear frequently. Hence this petition.

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3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the fourth respondent has lodged a complaint against the second petitioner for the misappropriation of the funds and the said funds were transferred to the account of the first petitioner, thereby, for enquiry purpose, they called the petitioner.

4.Mr.M.Maharaja, learned Counsel takes notice for the fourth respondent and submits that the second petitioner while working as Manager in the fourth respondent company misappropriated money and the misappropriated funds have been transferred to the first petitioner's account. Hence the complaint.

5.According to the fourth respondent, the second respondent was working under him as Manager and he misappropriated funds. The second and third respondents also stated that based on the fourth respondent's complaint, the petitioners were called for enquiry.

6.Since the enquiry is pending before the second respondent, he is



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directed to complete the enquiry within a period of fifteen days from the date of this order in accordance with law.

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

28.02.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
LR

To

1. The State of Tamilnadu,
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O/o. The Superintendent of Police,
Theni,
Theni District.

2. The Inspector of Police,
District Crime Branch,
Theni,
Theni District.

3. The Sub Inspector of Police,
District Crime Branch,
Theni,
Theni District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

LR

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