



Crl.O.P(MD)No.5535 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.5535 of 2025

1. Arokiaraj

2. B.Jeyakumar

... Petitioners

Vs

1. The State of Tamilnadu,
Rep by the Superintendent of Police,
Trichy District.
Trichy.

2. The Inspector of Police,
Kanakiliyanallur Police Station,
Trichy District.

3. A.Meharunisha

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to direct the second respondent not to harass the petitioner under the guise of enquiry on the complaint foisted by the third respondent.



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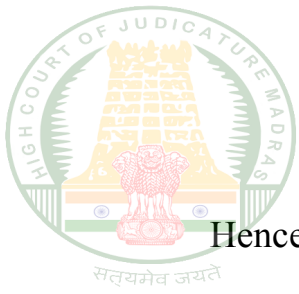
For Petitioners : Mr.T.Leninkumar,

For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent not to harass the petitioner under the guise of enquiry on the complaint foisted by the third respondent.

2.According to the petitioners, they are the Branch Manager and Collection Agent of Sakthi Finance Limited, Srirangam. The third respondent's husband obtained loan for purchase of the vehicles bearing registration No.TN61 J 7385 and TN 49 BR 5474. Thereafter, the husband of the third respondent died and no due amount was paid by the third respondent. Therefore, the petitioners took possession of the vehicle bearing Registration No. TN61 J 7385, after intimating the third respondent, thereby, the third respondent lodged the complaint against the petitioners. Taking advantage of the same, the second respondent is now harassing the petitioners to return the lorry to the third respondent.



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Hence this petition.

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3.The learned Counsel for the third respondent would submit that the third respondent's husband obtained loan from the Sakthi Finance Limited, Srirangam for purchase of vehicles bearing Registration Nos. TN 61 J 7385 and TN 49 BR 5474 and thereafter, due to sudden demise of the third respondent's husband, the third respondent is unable to pay EMI amount and without the knowledge and consent of the third respondent, the petitioners took the vehicle bearing Registration No.TN 61 J 7385. Therefore, she lodged the complaint, for which, C.S.R.No.51 of 2025 was assigned and the same is pending.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that based on the complaint given by the third respondent, C.S.R.No.51 of 2025 was assigned and the respondent police have called the petitioners for enquiry and the same is pending. The enquiry will be conducted and appropriate decision will be taken in accordance with law. They have not harassed the petitioners as alleged by them.



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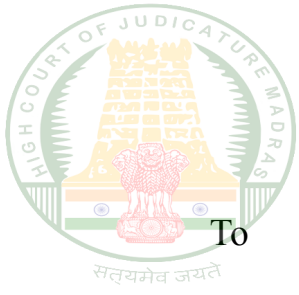
5. According to the petitioners, based on the third respondents's complaint, the respondent police harassed them. According to the second respondent, he has not harassed the petitioners.

6. Since the enquiry is pending before the second respondent, he is directed to conduct enquiry and take appropriate action based on the third respondent's complaint, 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.

25.03.2025

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



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To

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1. The State of Tamilnadu,
Rep by the Superintendent of Police,
Trichy District.
Trichy.
2. The Inspector of Police,
Kanakiliyanallur Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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