



Crl.O.P.(MD)No.5950 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2025

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.5950 of 2025

1. Riyaz Mohammed
2. V.M.Abuthahir

.. Petitioners

Vs.

1. The Superintendent of Police
Thanjavur District
Thanjavur

2. The Inspector of Police
City East Police
Thanjavur District

3. The Inspector of Police
District Crime Branch
Thanjavur District

4. Sarala Devi

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 to 3 and their subordinates not to harass the petitioners in a civil dispute.

For Petitioners : Mr.A.Ilayaperumal

For Respondents : Mr.M.Sakthi Kumar
No.1 to 3 Government Advocate(Crl.Side)



ORDER

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This Criminal Original Petition has been filed by the petitioners to direct the respondents 1 to 3 and their subordinates not to harass the petitioners in a civil dispute.

2. The learned counsel appearing for the petitioners would submit that the fourth respondent lodged a complaint against the petitioners for civil dispute in respect of purchase of tailoring machines under the MSME schemes of the Government. Already the same petitioner lodged a complaint before the second respondent and the same was enquired and closed. Thereafter for the very dispute another complaint was lodged before the third respondent and now the third respondent is frequently calling the petitioner for enquiry, hence the present petition has been filed.

3. The learned Government Advocate(Crl.Side) appearing for the respondents 1 to 3 would submit that the fourth respondent obtained loan under the MSME scheme from the State Bank and the same was credited in the petitioner's account, but they have not disbursed the amount to the petitioner. Therefore she lodged a complaint and the same is under enquiry. For enquiry only the third respondent called the petitioners but



they have not appeared for enquiry, however they will take appropriate steps in accordance with law.

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4. Considering the limited scope of prayer sought for in this petition this Court even without issuing notice to the fourth respondent is inclined to pass orders.

5. According to the petitioners the third respondent harassed the petitioners under the guise of enquiry. Already the fourth respondent lodged a complaint before the third respondent and the same was closed. In spite of that now the third respondent harassed the petitioners under the guise of enquiry. According to the third respondent, the fourth respondent obtained loan under the MSME scheme from the Government and the amount was credited into the petitioner's account and thereafter the amount was not disbursed to the fourth respondent, thereby she lodged a complaint and the same is under enquiry. The respondent police have called the petitioners for enquiry, but without appearing for enquiry the petitioners have filed this petition.



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6. Considering the relief sought for in the petition and recording the submission made by the learned Government Advocate(Crl. Side) appearing for the respondents 1 to 3 that they have not harassed the petitioners and they have only called the petitioners for enquiry purpose, this Court directs the third respondent to conduct enquiry on the complaint of the fourth respondent and take appropriate action in accordance with law within a period of one week from the date of this order.

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

01.04.2025

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

1. The Superintendent of Police
Thanjavur District
Thanjavur

2. The Inspector of Police
City East Police
Thanjavur District

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3. The Inspector of Police
District Crime Branch
Thanjavur District

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



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P.DHANABAL,J.

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