



CRL OP(MD). No.1391 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27/01/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.1391 of 2026

Moorthy

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep By, The Superintendent of Police,
Theni District.

2. The Inspector of Police,
Periyakulam Police Station,
Periyakulam, Theni District.

3. Ramesh

... Respondents

PRAYER :-

To direct the second respondent not to harass the petitioner in the name of an enquiry with regard to criminal case pending before the court under section 138 of N.I.Act in Judicial Magistrate Court No.2, Usilampatti, in STC No.626 of 2025.

For Petitioner : Mr. C. Meenakshi Rama Prabu,
Advocate.

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to direct the second respondent not to harass the petitioner in the name of an enquiry with regard to criminal case pending before the court under section 138 of N.I.Act in Judicial Magistrate Court No.2, Usilampatti, in STC No.626 of 2025.

2. Learned counsel for the petitioner submitted that with respect to a money dispute between the petitioner and the third respondent, already a case under Section 138 of Negotiable Instruments Act is pending before the Learned Judicial Magistrate No.II, Usilampatti. However, with respect to the said transaction, the second respondent police is subjecting the petitioner to harassment and compelling him to settle an amount of Rs.70 lakhs. Hence, this petition.

3. The learned Government Advocate submitted that the third respondent is a homeopathy doctor who borrowed a sum of Rs.5 Lakhs from one Pandian. As a security for the said amount, he issued a blank



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cheque and a promissory note. The petitioner had also approached the said Pandian for arranging seat in a medical college for the petitioner's daughter. He has also paid a sum of Rs.10 Lakhs as interest and for the medical seat, to the said Pandian. The third respondent and the said Pandian are known to each other. With the collusion of the said Pandian, the third respondent has filed a case under Negotiable Instruments Act with the blank cheque issued by the petitioner to the said Pandian. However, there is no harassment by the respondent police. They have called the petitioner only for enquiry.

4. Heard both sides and carefully perused the materials available on record.

5. In a money dispute which is pending between the petitioner and the third respondent before the Learned Judicial Magistrate No.II, Usilampatti, the second respondent police has no business to interfere with the same in the name of a criminal complaint received from the third respondent. From the submission of the learned Government Advocate it is understood that the third respondent is trying to creat alibi with respect



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to the cheque in question. In view of the same, there is a precise direction to the second respondent not to harass the petitioner in a money dispute till the disposal of the pending STC 626 of 2025 on the file of the learned Judicial Magistrate No.II, Usilampatti.

6. Accordingly, this Criminal Original Petition is allowed.

27.01.2026

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To

- 1.The Superintendent of Police, Theni District.
2. The Inspector of Police, Periyakulam Police Station, Periyakulam, Theni District.
3. Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI,J

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ORDER
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