

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28498 of 2015

R.Kalicharan

... Petitioner

Vs

1. The Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore City, Coimbatore.
2. The Inspector of Police,
Singanallur Police Station,
Coimbatore.
3. Mr.Ravikumar
The Inspector of Police,
Singanallur Police Station,
Coimbatore.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 and 2 to instruct the respondent No.3 not to interfere into the civil dispute between the petitioner and one Amalabushpam by considering the representation of the petitioner dated 20.11.2015 within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For respondents : Mr.C.Emalias,
Addl.Public Prosecutor .

O R D E R

This petition has been filed to direct the respondents 1 and 2 to instruct the respondent No.3 not to interfere into the civil dispute between the petitioner and one Amalabushpam by considering the representation of the petitioner dated 20.11.2015 within the time stipulated by this Court.

2. When the matter is taken up for consideration, learned counsel for the petitioner submitted that in respect of a civil dispute between the petitioner and one Amalabushpam, the said Amalabushpam, lodged a complaint. Now, the respondent conducting

enquiry and calling the petitioner and thus, interfering with the Civil dispute.

3. Learned Additional Public Prosecutor submitted that case is not purely a civil dispute. The other allegations are there and that is the reason, the 3rd respondent called the petitioner to attend the enquiry. In order to avoid the enquiry, the petitioner has now come forward with the present petition.

4. Irrespective of the submissions made on either side, this Court is constrained to pass the following order.

(i) The petitioner is directed to co-operate with the enquiry.

(ii) The respondent police is directed to conduct the enquiry in accordance with law, without harassing the petitioner.

(iii) In the event, during the course of enquiry, the respondent police comes to the conclusion that the matter is civil in nature, the respondent police is directed to pass appropriate orders on the complaint made by the defacto complainant.

or

(iv) In the event, during the course of enquiry, the material gathered indicates cognizable offence, the respondent police is directed to proceed further in accordance with law as early as possible.

5. The criminal original petition is disposed of accordingly.
vsi

s/d-
Assistant Registrar(CCC)

True Copy

सत्यमेव जयते
Sub-Assistant Registrar

To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore City, Coimbatore.
2. The Inspector of Police,
Singanallur Police Station,
Coimbatore.

3. The Public Prosecutor,
High Court,
Madras.

+ 1 cc to M/s.S.Malaikani, Advocate SR 64116

rsk(co)
prk15/12

Cr1.O.P.No.28498 of 2015



WEB COPY