



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition(MD)No.15274 of 2015

1.L.Murugesan
2.M.Shanthi
3.M.Suganya
4.R.Saraswathy
5.R.Arunadevi

... Petitioners

Vs.

1.The State rep. By
The Sub-Inspector of Police,
Madurai Central Crime Branch,
Viswanathapuram, Madurai.

2.The Inspector of Police,
Madurai Central Crime Branch,
Viswanathapuram, Madurai.

3.The Assistant Commissioner of Police,
Madurai Central Crime Branch,
Viswanathapuram, Madurai.

4.The Commissioner of Police,
Madurai City.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 praying to direct the respondent not to interfere in the civil dispute and stop the harassment against all the petitioners to execute the re-conveyance of sale deed and forced to withdraw the civil suit.

For Petitioners : Mr.C.Nithyash Sekhar

For Respondents : Mr.K.Anbarasan,

Government Advocate(Crl. Side)

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the respondents not to harass the petitioners on the basis of the complaint given by one Vimala and not to interfere with the civil dispute.

2. Heard both sides.

3. The learned counsel for the petitioners would submit that the respondent Police are harassing the petitioners by way of interfering with the civil dispute in respect of the property in



question and hence, the petitioners have come forward with this petition for the above stated relief.

4. At this juncture, the learned Government Advocate (Criminal Side), on instructions, would submit that on the basis of the complaint given by Vimala, which was taken as C.S.R.No.187/CSR/DC/MC-2015, enquiry has been conducted and closed and they have not made any harassment on the petitioners and hence, he prayed for dismissal of the petition.

5. Considering the rival submissions made on both sides, the respondent Police are directed not to harass the petitioners under the guise of enquiry, but let the police investigate into the matter in accordance with law and the mandates as found set out in D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610. If really, the police want to interrogate, it is open for the police to issue summons to the petitioners. Thereupon, the petitioners shall appear before the police and submit themselves for interrogation.

6. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

- 1.The Sub-Inspector of Police,
Madurai Central Crime Branch,
Viswanathapuram, Madurai.
- 2.The Inspector of Police,
Madurai Central Crime Branch,
Viswanathapuram, Madurai.
- 3.The Assistant Commissioner of Police,
Madurai Central Crime Branch,
Viswanathapuram, Madurai.
- 4.The Commissioner of Police,
Madurai City.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

akm/19.08.2015 /2p-6c/