



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P(MD)No.10459 of 2017

Senthamil Selvi

... Petitioner

Vs.

1. The State represented by,
The Superintendent of Police,
Trichy District, Trichy.
2. The Deputy Superintendent of Police,
Manapparai Sub Division,
Trichy District.
3. The Inspector of Police,
Manapparai Police Station,
Trichy District.
4. Karthick
5. Sathish Kumar
6. S.Thiyagarajan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent Nos.4 to 6 not to harass the petitioner and not to interfere into a civil dispute, which is pending in O.S.No.3 of 2016 on the file of the learned Judicial Magistrate cum District Munsif, Karaikudi, Sivagangai District.

For Petitioner : Mr.S.Balaji
For R-1 to R-3 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).

O R D E R

This Criminal Original petition is filed seeking a direction to the respondents 4 to 6 not to harass the petitioner and not to interfere into a civil dispute, which is pending in O.S.No.3 of 2016 on the file of the learned Judicial Magistrate cum District Munsif, Karaikudi, Sivagangai District.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondents 1 to 3.

3. Reference to the Suit in O.S.No.3 of 2016 on the file of the learned Judicial Magistrate cum District Munsif, Karaikudi, Sivagangai District, shows that the petitioner has not come to this Court with clean hands. The petitioner stated in her representation that her brother was involved in certain offence by collecting deposits from several persons. The petitioner's brother himself filed a civil suit restraining the depositors from claiming their payment in any unlawful or illegal manner and the same is pending. The reference to the suit in this petition is a clear indication that the petitioner has approached this Court not to herself but for her brother.

4. The learned Government Advocate(Criminal Side) on instructions submitted that no enquiry is pending as against the petitioner, as no complaint was received from anyone against the petitioner.

5. The learned counsel for the petitioner also submitted that the petitioner is residing elsewhere and that she has no connection with the petitioner's brother. In such circumstances, this Court is of the view that the petition is not for a *bonafide* purpose and hence, the Criminal Original petition is dismissed.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Trichy District, Trichy.
2. The Deputy Superintendent of Police,
Manapparai Sub Division, Trichy District.
3. The Inspector of Police, Manapparai Police Station,
Trichy District.
4. The Judicial Magistrate -cum- District Magistrate,
Karaikudi, Sivagangai District.
5. The Chief Judicial Magistrate, Sivagangai District.



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

+1 CC to M/s.S.BALAJI, Advocate, SR No. 71405.

PMU

PSM/KK/SAR1/29.08.2017/3P/8C

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