



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.10865 of 2017

1. C.Suresh Raman Nadar
2. Velayuthaperumal
3. Kumar Ponnaiyan
4. Kumara Udhaya Marthandan
5. Annalakshmi

6. Balasubramanian,
President,
Akila Bharatha Hindu Maha Sabai,
Palavilai, Kanyakumari District.

... Petitioners

-Vs-

1. The Additional Superintendent of Police,
Kolachal, Kanyakumari District.
2. The Sub Inspector of Police,
Manavalakuruchi Police Station,
Manavalakuruchi,
Kanyakumari District.

3. Ayyappan

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 not to harass the petitioners and their family members in the name of enquiry based on the false complaint given by the third respondent.

For Petitioner : Mr.N.Sathish Babu

For R-1 & R-2 : Mr.K.Anbarasan,

Government Advocate(Crl. Side).

O R D E R

This Criminal Original petition is filed seeking a direction to the respondents 1 and 2 not to harass the petitioners and their family members in the name of enquiry based on the false complaint given by the third respondent.

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

3. The learned counsel for the petitioners submitted that there is a dispute between the petitioners and the third respondent in relation to the property. It is further stated that a suit in O.S.No.131 of 2014 on the file of the learned District Munsif, Eraniel, is also pending. Further on the same set of facts earlier the second respondent entertained a complaint given by the third respondent and a case was registered in Crime No.24 of 2016. It is also stated that the petitioners filed a quash petition in Crl.O.P.(MD)No.2836 of 2016 and this Court granted an order of Interim Stay of all further proceedings. However, once again the second respondent called upon the petitioners to attend an enquiry. It is in these circumstances, the learned counsel for the petitioners submitted that the attempt of the second respondent to enquire into the matter is nothing, but with an intention to harass the petitioners and his family members under the guise of enquiry.

4. The learned Government Advocate (Criminal Side) however, on instructions submitted that the second respondent conducted an enquiry and closed the complaint and that therefore, there was no harassment as alleged by the petitioners.

5. Recording the statement of the learned Government Advocate (Criminal Side), the Criminal Original petition is closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Additional Superintendent of Police,
Kolachal, Kanyakumari District.
2. The Sub Inspector of Police,
Manavalakuruchi Police Station,
Manavalakuruchi,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.N.SATHISH BABU, ADVOCATE IN SR No. 73112

PMU

<https://hccpcsb.court.gov.in/CaseDetails> : 30/08/2017 : 2P/5C

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