



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.11091 of 2017

WEB COPY

1. S.Sundar
2. S.Vanitha Nachiar ... Petitioners

-Vs-

1. State represented by,
The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police(Law & Order),
Thilagar Thidal Police Station,
Madurai District.
3. The Sub-Inspector of Police(Law & Order),
Thilagar Thidal Police Station,
Madurai District.

4. M.Devaraj Natchiappan ... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents 2 and 3 not to harass the petitioners under the guise of enquiry on the complaint of Devaraj Natchiappan.

For Petitioner : M/s.S.Devasena
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 2 and 3 not to harass the petitioners under the guise of enquiry on the complaint of Devaraj Natchiappan.

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

3. It is stated that the petitioners are husband and wife and that they are doing business in a premises that belongs to Madurai Thirugnanasambandar Aadhinam Madam. It is also stated that with regard to the property, civil Suits in O.S.No.943 of 2011 and O.S. No.944 of 2011 are pending in which the first petitioner, his brother, the members of his family and Madurai Aadhinam are



parties. It is further stated that the petitioners gave a complaint to the Commissioner of Police regarding the unauthorised construction that was put by the fourth respondent. However, the third respondent has obtained a false complaint from the fourth respondent who is also a retired Inspector of Police. It is further stated that on the basis of the said complaint, the petitioners are being put to unnecessary harassment. It is specifically stated that the petitioners are asked to come to the police station and made to wait till 10.30 p.m., under the guise of enquiry.

4. In this case, since the dispute between the parties appeared to be purely civil in nature, there is no scope for any enquiry by the respondents 2 and 3. In case, a complaint is given involving any of the parties for commission of criminal offence, the same shall be enquired that too after issuing summons to the parties concerned prescribing date and time and in the manner known to law.

5. With the above observations, the Criminal Original petition is closed.

Sd/-

Assistant Registrar(writs)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police, Madurai City, Madurai.
2. The Inspector of Police(Law & Order),
Thilagar Thidal Police Station, Madurai District.
3. The Sub-Inspector of Police(Law & Order),
Thilagar Thidal Police Station, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.S.DEVASENA, Advocate SR.No.74498

pmu

MAS/SV-MMS/SAR1:06.09.2017:2P-6C

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