



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.11807 of 2017

WEB COPY

Chellappa Gounder

... Petitioner

-Vs-

1. The Superintendent of Police,
Dindigul District.
2. The Inspector of Police,
Oddanchathiram Police Station,
Dindigul District.
3. Velusamy
4. Sekar
5. Durairaj

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the first respondent to instruct the second respondent not to harass the petitioner.

For Petitioner
For R-1 & R-2

: M/s.M.Benazir Begum
: Mr.K.Anbarasan,
Government Advocate(Crl. Side)

ORDER

This Criminal Original petition is filed for a direction to the respondents not to harass the petitioner.

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

3. The petitioner states that his son executed a Sale Deed in favour of the third respondent in respect of the property which was allotted to the petitioner by way of Partition. It is stated that the petitioner himself filed a Suit in O.S.No.151 of 2016 before the Subordinate Court, Palani. With the identical prayer, the petitioner's son also filed a Suit in O.S.No.107 of 2017 before the District Munsif Court, Oddanchathiram. It is in these circumstances, the learned counsel for the petitioner states that



on the basis of the false complaint given by the third respondent, the petitioner is put to harassment.

4. This Court is satisfied that the dispute is purely civil in nature. Unless there is a complaint against the petitioner for any offence committed by him which is cognizable, the respondents need not harass the petitioner under the guise of enquiry. Even if the appearance of the petitioner is required for any enquiry in connection with the complaint if any filed against the petitioner, the same shall be done only after issuing summons prescribing date and time and in the manner known to law.

5. The Criminal Original petition is closed with the observation that there shall not be any harassment to the petitioner by the police. However, this order cannot be construed as one in favour of the petitioner to support his claim over the property which is the subject matter of Suit filed by the petitioner.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Dindigul District.
2. The Inspector of Police, Oddanchathiram Police Station, Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

PMU
MAS/JC/SAR2:21.09.2017:2P-4C

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