



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 30.10.2017  
CORAM:

**THE HONOURABLE MR. JUSTICE S. S. SUNDAR**

CRL.O.P.(MD) No.14562 of 2017

K.S.Rajan

: Petitioner

-Vs-

1. The Superintendent of Police,  
Madurai District,  
Madurai.

2. State rep. by its  
Inspector of Police,  
Melur Police Station,  
Madurai District.

: Respondents

3. Dhanuskodi

: Respondents/Defacto  
Complainant

**PRAYER:** Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the 2<sup>nd</sup> respondent herein not to harass the petitioner in the name of enquiry without due process of law.

For Petitioner

: Mr.P.Venkatesan

For Respondents 1 & 2

: Mr.K.S.Duraipandian

Additional Public Prosecutor

### **O R D E R**

This petition is filed for issuing a direction to the 2<sup>nd</sup> respondent not to harass the petitioner under the guise of enquiry.

2. The petitioner and the third respondent are co-owners of certain immovable properties at Maruthur Village. It appears that the third respondent filed a suit in O.S.No.191 of 2016 on the file of the District Munsif, Melur, for partition. It is also stated that the third respondent, who is only a sharer in the property, denied the shares to his sisters and trying to swallow the property of female members. It is further stated that in order to grab the property the third respondent has given a police complaint and that under the guise of enquiry the second respondent is harassing the petitioner, without even issuing any summons or conducting enquiry in the manner known to law. Since



the third respondent is instigating the second respondent and that the second respondent is compelling the petitioner to sign blank papers relinquishing his right over the property, the petitioner is constrained to file this petition.

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3. Heard the learned counsel appearing for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 on instructions submitted that the second respondent conducted enquiry and found that the dispute between the parties is purely civil in nature. He further stated that the complaint itself was closed on 06.10.2017, after requesting the parties to approach the civil Court for appropriate relief. He would further submit that there is no harassment and no further enquiry is contemplated.

5. Recording the said submission, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

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

+ 1 CC TO MR.P.Venkatesan, ADVOCATE IN SR No.84154

trp

MK/JC/SAR-3/08.11.2017/2P/5C

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