



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2017

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASHCrl.O.P.(MD) No.3388 of 2017

P.Eswaran

... Petitioner

-vs-

1. The State rep. by
The Superintendent of Police,
Theni District, Theni.
2. The Deputy Superintendent of Police,
Andipatti Sub Division,
Theni District.
3. The Inspector of Police,
Andipatti Police Station,
Theni District.

4. S.Nagaraj

... Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the respondent nos.2 and 3 not to interfere into the civil dispute in connection with the properties comprised in Survey no.2208/1 Thimmarasanayakkanur Village Andipatti Taluk Theni District which has become the subject matter of the suit in O.S.No.86 of 2016 pending on the file of learned District Munsif Andipatti Theni District.

For Petitioner : Mr.S.Balaji
For R1 to R3 : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the respondents.2 and 3 not to interfere into the civil dispute in connection with the properties, comprised in S.No.2208/1, Thimmarasanayakkanur Village, Andipatti Taluk, Theni District, which has become the subject matter of the suit in O.S.No.86 of 2016 pending on the file of learned District Munsif Andipatti Theni District.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State. On instructions, learned Government Advocate (Crl.Side) submitted that the petitioner had given a complaint against Nagaraj/R4, in which, a petition enquiry was conducted in CSR No.87 of 2017 and the same was closed as civil in nature. He further submitted that



the said Nagaraj has also given a complaint against the petitioner, for which, petition enquiry is pending.

3. The petitioner is directed to participate in the enquiry and during enquiry, he shall not be harassed. During the course of enquiry, if any cognizable offence is made out, the respondent police is free to register an FIR and this order shall not be a shield for the petitioner against arrest.

With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Theni District, Theni.
2. The Deputy Superintendent of Police,
Andipatti Sub Division,
Theni District.
3. The Inspector of Police,
Andipatti Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.S.BALAJI, Advocate SR.No.17697

Cr1.O.P.(MD)No.3388 of 2017

JM/SKN RSK/SAR 2/18.04.2017/2P/6C