



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD)No.8651 of 2017

Thalavai

... Petitioner

-Vs-

1. State Rep.by

The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

... 1st Respondent/Complainant

2. Marimuthu

... 2nd Respondent/Complainant

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint of Marimuthu, S/o.Pitchaikannu Thevar.

For Petitioner : Mr.D.Venkatesh

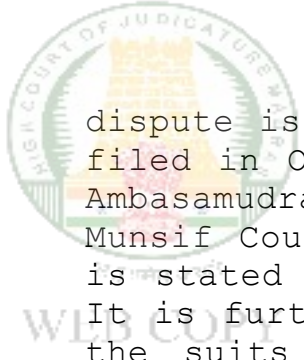
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side)

O R D E R

This Criminal Original petition is filed to direct the first respondent not to harass the petitioner under the guise of enquiry on the basis of the complaint of Marimuthu, S/o.Pitchaikannu Thevar.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the first respondent.

3. The learned counsel for the petitioner submitted that there is a civil dispute between the petitioner and the second respondent. The second respondent is a defacto complainant and the defacto complainant has given a false complaint against the petitioner. Even though the



dispute is purely in civil nature and already two suits have been filed in O.S.No.20 of 2015 on the file of the Subordinate Court, Ambasamudram and O.S.No.25 of 2015 on the file of the District Munsif Court, Cheranmahadevi, for partition and other reliefs, it is stated that the first respondent is harassing the petitioner. It is further stated that after failing to get interim orders in the suits pending, the petitioner's brother has given a false complaint. In these circumstances, this petition has been filed by the petitioner seeking a direction to the first respondent not to harass the petitioner.

4. The learned Government Advocate (Criminal side) on instructions submitted that the complaint has already been enquired and closed and that therefore, there is no necessity for further enquiry and no question of harassment.

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 Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to MR.D.Venkatesh, Advocate in SR.No.64291

pmu

AE/MR KKR/SAR2/18.07.2017/2P/4C

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