



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.9141 of 2017

Alagar

... Petitioner

-Vs-

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

2.The Inspector of Police,
Aruppukottai Nagar Police Station,
Virudhunagar District.

3.Subramani

...Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the second respondent not to harass the petitioner and his family members on the guise of enquiry and not to interfere in the civil dispute between the petitioner and third respondent.

For Petitioner : Mr.M.Senthil Ayyanar

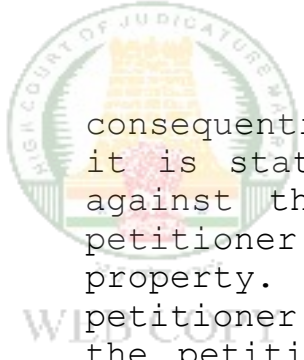
For R-1 and R-2 : Mr.K.Anbarasan,
Government Advocate (Crl.Side).

O R D E R

This Criminal Original Petition is filed for a direction to the second respondent not to harass the petitioner and his family members under the guise of enquiry and not to interfere in the civil dispute between the petitioner and third respondent.

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

<https://hcservices.ecourts.gov.in/hcservices/> learned counsel for the petitioner submitted that the petitioner filed a civil suit in O.S.No.74 of 2014 on the file of the District Munsif Court, Aruppukottai, for declaration and



consequential relief in respect the property in dispute. However, it is stated that the third respondent lodged a false complaint against the petitioner, as if he is also having share in the petitioner's property under the guise of leaseholder of the said property. It is on the basis of the alleged false complaint, the petitioner stated that the respondent police is frequently calling the petitioner under the guise of enquiry and threatened him to remove the boundary stones in his property.

4.The learned Government Advocate(Criminal side) on instructions submitted that the petitioner has also given a complaint against the third respondent and the third respondent in turn has given a complaint against the petitioner.

5. Since the matter appears to be purely civil in nature, the respondent police need not interfere with the rights of the parties, unless there is a likelihood of law and order problem, affecting the normal life of the public. Hence, with a direction to the respondent police to refer the dispute and direct the parties to approach civil Court to settle their dispute, this Criminal Original petition is closed with an observation that the respondent shall not enquire the petitioner or his family members in connection with the civil dispute and even if the presence of the petitioner is required for any enquiry, it shall be done only after issuing summons prescribing the date and time and in the manner prescribed in law.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar.

To

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

2.The Inspector of Police,
Aruppukottai Nagar Police Station,
Virudhunagar District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.M.Senthil Ayyanar, Advocate, SR.No. 65969

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