



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.9729 of 2017

Alagu

: Petitioner

-Vs-

1. The State rep by its
Superintendent of Police,
Sivagangai District, Sivagangai.

2. The State rep by its
Inspector of Police,
Thirukostiyur Police Station,
Sivagangai District.

3. Balu @ Balasubramanian

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the first respondent to direct the second respondent not to harass the petitioner on the basis of the petitioner's representation dated 24.07.2017.

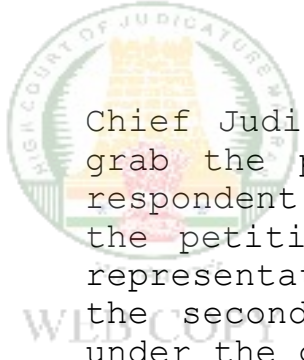
For Petitioner : Mr.T.Kumar
For Respondents : Mr.K.Anbarasan
1 and 2 Government Advocate (Crl. Side)
For Respondent 3 : Mr.N.Tamil Mani

O R D E R

This petition is filed for directing the first respondent in turn to direct the second respondent not to harass the petitioner on the basis of the petitioner's representation dated 24.07.2017.

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

3.In the representation, the petitioner submitted that the third respondent herein, who is working as Office Assistant in



Chief Judicial Magistrate Court, Sivagangai, with an intention to grab the property of the petitioner, has influenced the second respondent and that at the instigation of the third respondent, the petitioner is being harassed. It is further stated in the representation that on 21.07.2017, the petitioner was called by the second respondent and the petitioner was put to harassment under the guise of enquiry.

4. Having regard to the nature of the complaint given by the petitioner and specific allegation is made that the petitioner was asked to attend an enquiry on 21.07.2017, the case of the respondent that no complaint was received from the third respondent is not acceptable. This Court is not inclined to decide the factual dispute between the parties. However, the dispute between the petitioner and the third respondent appears to be purely civil in nature. Hence, the second respondent is not supposed to entertain any complaint and resort to further enquiry with regard to the dispute between them in relation to the property. In such view of the matter, this petition is closed with a direction to the respondent police not to harass the petitioner or any one in relation to the property in dispute that is pending between the petitioner and the third respondent.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 CC TO Mr.N.TAMILMANI, ADVOCATE IN SR No. 71942

SRM

<https://hccs.ecs.courts.gov.in/services> 29/08/2017 : 2P/5C

CRL.O.P. (MD) No.9729 of 2017
10.08.2017