



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P. RAJAMANICKAM

Crl.O.P.(MD) No.1116 of 2018

1.P.Ganesan
2.P.Parthasarathy
3.K.Kumaravel
4.K.Meena

... Petitioners

-Vs-

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

2.The Inspector of Police,
Palani Town Police Station,
Dindigul District.

3.Vairam,
Inspector of Police,
Palani Town Police Station,
Dindigul District.

4.The Sub Inspector of Police,
Palani Town Police Station,
Dindigul District.

5.Saravanan,
Sub Inspector of Police,
Palani Town Police Station,
Dindigul District.

6.Leelavathi @ Leela
7.Jeyamurugan
8.Raja

... Respondents

Prayer: This Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to direct the respondent nos. 2 to 5 not to interfere in the civil dispute of the petitioners and the respondent nos. 6 to 8, which is the subject matter of O.S.No.8 of 2018 on the file of the District Munsif, Palani, under the guise of enquiry on the foisted complaint of the respondent no.6 to 8.



For Petitioner : Mr.T. Lenin kumar

For RR 1,2 &4 : Mr.Prabhu Ramachandran
Government Advocate (Crl. Side)

WEB COPY

O R D E R

This petition has been filed to direct the respondent nos.2 to 5 not to interfere in the civil dispute of the petitioners and the respondent nos. 6 to 8, which is the subject matter of O.S.No.8 of 2018, on the file of District Munsif Court, Palani.

2. The learned counsel appearing for the petitioners has submitted that already a civil suit is pending between the petitioners and the respondent nos.6 to 8, on the file of the District Munsif, Palani and during the pendency of the said suit, the respondent nos. 6 to 8, gave a false complaint before the respondent nos. 2 to 5 and based on that complaint, the respondent nos. 2 to 5 are compelling the petitioners to execute a sale deed in favour of the respondent nos. 6 to 8.

3. The learned Government Advocate (Crl. Side) appearing for the respondent nos.1, 2 and 4 has submitted that the respondent no.6 gave a complaint before the Deputy Superintendant of Police, Palani and the same has been forwarded to the fourth respondent and CSR has been issued. He further submitted that the enquiry is pending, with regard to the said complaint.

4. Considering the aforesaid submissions, the fourth respondent is directed to enquire the matter, by issuing summons to the petitioners and if the enquiry reveals any cognizable offence, then, he can register a case and proceed in accordance with law. In case, enquiry reveals only a civil dispute, he has to direct the parties to get remedy in the Civil Court, which was already pending before the District Munsif Court, Palani. Since the learned counsel appearing for the petitioners has submitted that the police is compelling the petitioners to execute a sale deed, it is ordered that the respondent no. 4 should not compel the petitioners to execute a sale deed.

5. With the above observations, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar



To

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

2.The Inspector of Police,
Palani Town Police Station,
Dindigul District.

3.The Sub Inspector of Police,
Palani Town Police Station,
Dindigul District.

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

+One cc to Mr.T.Lenin Kumar, Advocate, SR.No.43807

trp

RL/6C/3P/SV/MMS/SAR4/1/2/2018

Cr1.O.P.(MD) No.1116 of 2018

24.01.2018