



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2018

CORAM:

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.1975 of 2018

Idumban

... Petitioner

-vs-

1. The Superintendent of Police,
Madurai District.
2. The Inspector of Police,
Y.Othakkadai Police Station,
Madurai District.
3. The Sub Inspector of Police,
Y.Othakkadai Police Station,
Madurai District.

4.Balakrishnan

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second and third respondents herein not to interfere in the civil dispute in between the petitioner and the fourth respondent herein in respect of the property in survey No.133 of 2010, situate at Narasingam Village, Y.Othakkadai, Madurai District.

For Petitioner : Mr.S.Ramasamy

For R1 to R3 : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, to direct the second and third respondents not to harass the petitioner, based upon the complaint given by the fourth respondent.

2.The learned counsel appearing for the petitioner has submitted that the petitioner is the owner of certain lands and the fourth respondent agreed to purchase the petitioner's property for Rs.1,80,000/- and in pursuance of the said agreement, he has



paid a sum of Rs.60,000/- as advance and thereafter without paying the balance amount, he insisted the petitioner to execute the sale deed and also gave a false complaint before the third respondent and based on the said complaint, the second and third respondents are harassing the petitioner.

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3.The learned Government Advocate (Crl.Side) has submitted that after receipt of the complaint from the fourth respondent, the third respondent has issued C.S.R.No.56 of 2018 and the enquiry is still pending.

4.Considering the aforesaid submissions, the third respondent is directed to enquire the matter and if the enquiry reveals any cognizable offence, then he has to register a case and proceed in accordance with law. In case, the enquiry reveals only a civil dispute, he directs the parties to approach the Civil Court and get appropriate remedy. Further, he is directed not to harass the petitioner during the enquiry.

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

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District.
2. The Inspector of Police,
Y.Othakkadai Police Station,
Madurai District.
3. The Sub Inspector of Police,
Y.Othakkadai Police Station, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.S.Ramasamy , Advocate in SR No. 47095

SSS

AE/KKR/SAR3/13.03.2018/2P/6C