



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2018

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2037 of 2018

Illavarasi

... Petitioner

-vs-

1.The Superintendent of Police (Rural),
Trichy District, Trichy.

2.The Inspector of Police,
Jumbunathapuram Police Station,
Trichy.

3.M.Illavarasan.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents not to interfere with the civil dispute under the guise of enquiry.

For Petitioner : Mr.S.Gokul Raj
For R1 and R2 : Mr.Prabhu Ramachandran
Government Advocate (Crl.Side)

ORDER

This Petition has been filed by the petitioner, to direct the respondents not to interfere with the civil dispute under the guise of enquiry.

2.The learned counsel appearing for the petitioner has submitted that the petitioner is the wife of the third respondent and since there is no issue, a misunderstanding arouse between the petitioner and the third respondent and the petitioner has filed a divorce petition in H.M.O.P.No.204 of 2016, on the file of the learned Sub Court, Karur, and that being so, the third respondent gave a complaint before the second respondent and based on the said complaint, the second respondent is compelling the petitioner to execute the documents in respect of the property. He further submitted that the second respondent has no right to compel the petitioner to transfer the property.

3.The learned Government Advocate (Crl. Side) has submitted that the third respondent gave a complaint to direct the petitioner to transfer the property and the said complaint is pending for enquiry.



4. Considering the aforesaid submissions, the second respondent is directed to enquire the matter and if the enquiry is civil dispute, he has to direct the parties to get their remedy in the Civil Court. Incase, the enquiry reveals any cognizable offence, then the second respondent has to register a case and proceed further in accordance with law. Without adopting the aforesaid procedures, he should not harass the petitioner.

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

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Subordinate Judge, Karur.

2. The Superintendent of Police (Rural),
Trichy District, Trichy.

3. The Inspector of Police,
Jumbunathapuram Police Station,
Trichy.

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

+1CC to Mr.S.Gokulraj, Advocate, SR.No. 47387

CRL.O.P. (MD) No. 2037 of 2018

09.02.2018

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AM/RSK/SAR 1/21.03.2018/2P/6C