



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD)No.2390 of 2018

M.Noor Shesmi

... Petitioner

-Vs-

1. The Superintendant of Police,
Sivagangai,
Sivagangai District.
2. State represented by,
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
3. Surendar,
Sub-Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

4.M.Moorthy

... Respondents

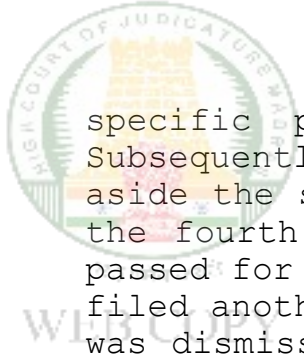
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 2nd and 3rd respondents not to harass the petitioner and his family members under the guise of enquiry on the basis of petitioner representation dated 08.02.2018.

For Petitioner : Mr.P.Thilak Kumar
For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)
for R.1 and R.2

O R D E R

This petition has been filed to direct the respondent Nos. 2 and 3 not to harass the petitioner and his family members under the guise of enquiry based on the complaint given by the fourth respondent.

2. The learned counsel for the petitioner has submitted that in pursuant to the sale agreement entered into between the petitioner and the fourth respondent, the petitioner has filed a suit in O.S.No.7 of 2014 on the file of the District Court, Sivagangai, for



specific performance and the said suit was decreed ex-parte. Subsequently, the fourth respondent has filed an application to set aside the said decree and the same was allowed and even thereafter, the fourth respondent remained ex-parte and an ex-parte decree was passed for the second time and thereafter, the fourth respondent has filed another petition to set aside the decree and the said petition was dismissed, against which, the fourth respondent has filed Civil Revision Petition in C.R.P.(MD)No.1356 of 2017 and the same was allowed on condition that he has to pay the cost of Rs.15,000/- and fact remains so, the fourth respondent gave a false complaint against the petitioner and based on the said complaint, the third respondent is harassing the petitioner.

3.The learned Government Advocate (Crl.Side) has submitted that already the petitioner gave a complaint against the fourth respondent and the same is still pending for enquiry and the fourth respondent has not given any complaint against the petitioner and hence the question of harassing the petitioner does not arise.

4.Recording the aforesaid submission, this criminal original petition is closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 CC TO Mr.P.THILAK KUMAR, ADVOCATE IN SR No. 50758

GSP

TE/JC/SAR-2 : 14/03/2018 : 2P/5C