



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2994 of 2018

S.Arul Gnana Steepan

... Petitioner

-vs-

1. The Commissioner of Police,
Tirunelveli City, Tirunelveli.

2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli.

3. Soosai Agnold Jude

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent herein not to harass the petitioner in any manner except due process of law.

For Petitioner : Mr.M.Maharaja

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

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner under the guise of enquiry based on the complaint given by the third respondent.

2. Heard Mr.M.Maharaja, learned counsel appearing for the petitioner and Mr.Prabhu Ramachandran learned Government Advocate (Crl.Side) appearing for the respondents 1 and 2.

3. The learned counsel appearing for the petitioner has submitted that the petitioner has purchased a land measuring about 4,400 sq feet, situated at Reddiyarpatti Village, Palayamkottai on 06.12.2007. Thereafter, he sold the same to the third respondent on 21.02.2011. He further submitted that now there is a dispute between the third respondent and the adjacent land owner with regard to erecting of pillar in the boundary. Hence, the third



respondent gave a false complaint against the petitioner, based on that, the second respondent is harassing the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the first and second respondents has submitted that after receipt of the complaint from the third respondent, CSR.No.45 of 2018 has been issued and the complaint is pending for enquiry.

5.Considering the aforesaid submissions, the second respondent is directed to enquire the matter and if the enquiry reveals any cognizable offence, then he has to register a case and proceed further in accordance with law. Instead of doing so, he should not unnecessarily harassing the petitioner.

6.With the aforesaid observation, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Tirunelveli City, Tirunelveli.
2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli.
3. The Additional Public Prosecutor,
Madruai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.M.Maharaja , Advocate in SR No. 53904

das
AE/KK/SAR1/27.03.2018/2P/5C

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