



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.03.2018

CORAM
THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.3231 of 2018

WEB COPY

Killivalavan

...Petitioner

-Vs-

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

2.The Inspector of Police,
Samayapuram Police Station,
Trichy District.

3.V.Palanichamy

...Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent police not to interfere in the civil dispute and not to harass the petitioner and his family members under the guise of enquiry without due process of law on the basis of the petitioner's representation dated 14.02.2018.

For Petitioner : Mr.S.Deenadhayalan

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 interfere in the civil dispute and not to harass the petitioner and his family members under the guise of enquiry.

2.The learned counsel appearing for the petitioner has submitted that the petitioner's wife viz., Kalaiselvi has purchased a property from one Dhanam. He further submitted that one Rajam has filed a civil suit before the learned District Munsif, Trichy, stating that the said property belongs to her. He further submitted that the third respondent herein has lodged a complaint before the second respondent stating that he has purchased the property from petitioner's vendor namely Dhanam. He further submitted that the aforesaid dispute is civil in nature, but the second respondent is harassing the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned Government Advocate (Crl.side) has submitted that



after receipt of the complaint from the third respondent for the purpose of enquiry the petitioner was summoned, but she has not appeared.

4.If the petitioner has not appeared, after receipt of the summons, the second respondent need not wait for appearance of the petitioner. It is open to the second respondent to enquire with the complainant/3rd respondent herein 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 harass the petitioner unnecessarily.

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

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Samayapuram Police Station,
Trichy District.

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

+1cc to Mr.S.Deenadhayalan, Advocate, SR.No. 55931

Cr1.O.P.(MD) No.3231 of 2018
15.03.2018

DAS
KK/JC/17.04.2018/SAR-2/2P-5C