



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**Cr1.O.P.(MD) No.3929 of 2018

1.S.Mahendran

2.Krishnaveni

...Petitioners

-Vs-

1. The Superintendent of Police,
Trichy District.2. The Inspector of Police,
District Crime Branch,
Trichy District.

3. D.Senthil

...Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent not to harass the petitioners under the guise of enquiry.

For Petitioners

: Mr.G.Karuppasamy Pandiyan

For R1 & R2

: Mr.Prabhu Ramachandran

Government Advocate (Cr1.Side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioners under the guise of enquiry.

2.The learned counsel appearing for the petitioners has submitted that the second petitioner has purchased land of 5 acres and 9 cents from one Rajeshkumar, who is the power agent of 3rd respondent for a sum of Rs.5,90,000/- through the registered sale deeds dated 12.12.2016 and 08.02.2017. He further submitted that since there is a dispute between the third respondent and his power agent namely Rajesh kumar, the third respondent gave a false complaint against the petitioners herein and based on the said complaint, the second respondent is harassing the petitioners.

3.The learned Government Advocate (Cr1.side) has submitted that after receipt of the complaint from the third respondent, enquiry has been commenced and only for enquiry purpose the petitioners were called, but, they did not appear and they were not subjected to any harassment and enquiry is still pending.



4.Considering the aforesaid submissions, the second respondent is directed to expedite the enquiry and if the enquiry discloses any cognizable offence, then he has to register a case and proceed further in accordance with law. In case, the enquiry reveals that it is a civil dispute, then he has to direct the parties to approach the civil court and get remedy. Instead of doing so, he should not unnecessarily harass the petitioners.

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

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Trichy District.
2. The Inspector of Police,
District Crime Branch,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.G.Karuppasamy Pandiyan, Advocate Sr.No.57122

DAS

VB/SV/MMS/SAR2/17/04/2018/2P/5C

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