



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.4180 of 2018

Kulanthairaj

... Petitioner

-Vs-

1. The Inspector of Police,
Thiruvarampoor Police Station,
Trichy - 14.

2. The Sub-Inspector of Police,
Thiruvarampoor Police Station,
Trichy - 14.

3.Arulsamy

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct 1st and 2nd respondents not to intervene into the civil dispute in O.S.No.1357/2015 on the file of the 1st Additional District Munsif Court, Trichy, at the instance of the 3rd respondent, his men or agent, for illegally evicting the petitioner from the said suit property.

For Petitioner : Mr.C.Dhanaseelan

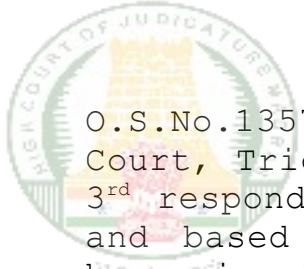
For Respondents : Mr.Prabu Ramachandran,
1 & 2 Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 and 2 not to intervene in the civil dispute, which is pending between the petitioner and the third respondent.

2.Heard Mr.C.Dhanaseelan, the learned counsel appearing for the petitioner and Mr.Prabu Ramachandran, the learned Government Advocate (Crl.Side) appearing for the respondents 1 & 2.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is a cultivating tenant under the 3rd respondent and since the 3rd respondent tried to evict the petitioner from the said land, the petitioner has filed a suit in



O.S.No.1357 of 2015, on the file of the learned District Munsif Court, Trichy, seeking permanent injunction and that being so, the 3rd respondent gave a false complaint before the first respondent and based on the said complaint, the respondents 1 and 2 are harassing the petitioner.

4.The learned Government Advocate (Crl.side) has submitted that the third respondent herein has lodged a complaint against the petitioner and based on the said complaint, summons were issued to the petitioner, but he has not appeared for enquiry and hence, the said complaint is still pending for enquiry before the second respondent.

5.Considering the aforesaid submissions, the second respondent is directed to enquire the complainant/3rd respondent's complaint, if the enquiry discloses 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 harass the petitioner.

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

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Thiruvarampoor Police Station,
Trichy - 14.
2. The Sub-Inspector of Police,
Thiruvarampoor Police Station,
Trichy - 14.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.C.Dhananseelan , Advocate in SR No. 57424

das

AE/SKN RSK/SAR1/23.04.2018/2P/5C