



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.15183 of 2018

A.Lakshmi

... Petitioner

Vs.

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

2.The Inspector of Police,
Austinpatti Police Station,
Madurai District.

3.Alagulakshmi

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the second respondent herein not to harass the petitioner and his family members under the guise of enquiry.

For Petitioner : Mr.J.Jeyakumaran
For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

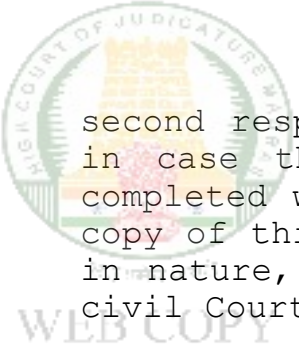
This Criminal Original Petition has been filed to direct the second respondent herein not to harass the petitioner and his family members under the guise of enquiry.

2.The learned counsel for the petitioner would submit that the third respondent does not having any right over the property to interfere with the possession of the petitioner and committed a crime. Therefore, the petitioner had given a complaint before the second respondent police. The second respondent police enquired the same.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the real dispute between the parties is with regard to the right over the property. Since the complaint has been given by the petitioner, the second respondent police has enquired the same.

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

4.Considering the facts and circumstances of the case, the



second respondent police is directed to enquire the parties and if in case the issue is criminal in nature, the enquiry shall be completed within a period of 10 days from the date of receipt of a copy of this order and in case it is found that the matter is civil in nature, the respondent police shall relegate the parties to the civil Court.

5. With the above direction, this criminal original petition is disposed of. The petitioner shall not be harassed under the guise of enquiry.

Sd/

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar (CS-III)

To

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

2. The Inspector of Police,
Austinpatti Police Station,
Madurai District.

+1cc to Mr. J. JEYAKUMARAN, Advocate, SR.No. 80400

Cr1.O.P. (MD) No.15183 of 2018
28.08.2018

MM

KK/SV/SAR-3/08.10.2018/2P-4C