

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 03.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR****CRL.O.P. (MD) No.10960 of 2018**

Mani @ Muthaiah : Petitioner

-Vs-

1. The Inspector of Police,
Solavandhan Police Station,
Madurai District.

2. Nellainayagam : Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the first respondent not to interfere with the civil dispute between the petitioner and the second respondent herein and their men and agents in respect of the property of the petitioner namely as 'Marudhu Modern Theatre' situated at Solavandan, Madurai District.

For Petitioner : Mr.K.S.Duraipandian

For R1 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor.**ORDER**

The prayer sought for herein is to direct the first respondent not to interfere with the civil dispute between the petitioner and the second respondent herein and their men and agents in respect of the property of the petitioner namely as 'Marudhu Modern Theatre' situated at Solavandhan, Madurai District.

2.The learned Additional Public Prosecutor appearing for the first respondent would submit that four years back, the de-facto complainant / second respondent had preferred a complaint, which is purely civil in nature and the same has been enquired and closed. For the same relief, the present complaint has been preferred by the second respondent and therefore, the petitioner filed the present Criminal Original Petition before this Court.

3.The learned Additional Public Prosecutor has further submitted that summon has been served to the petitioner to appear



for enquiry on 26.06.2018. At his request, it has been posted on 30.06.2018. But on the said date, the petitioner has not appeared for the enquiry before the respondent police along with relevant documents.

4. At this stage, the learned counsel appearing for the petitioner would submit that the petitioner has some apprehension against one Balaji, who is the then Inspector of Police, Solavandhan Police Station, Madurai District, and requests this Court that the present Inspector of Police (in charge), Vadipatti, shall conduct the enquiry. He undertakes that the petitioner will co-operate with the enquiry as and when received summons.

5. In the light of the above, the present Inspector of Police, Vadipatti Police Station, Madurai, who is in charge of the first respondent Police Station, has to conduct an enquiry and complete the same, subject to the co-operation of the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is closed, with the above direction.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Solavandhan Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.K.S.Duraipandian , Advocate in SR No. 70770

Myr
AE/RSK/SAR1/06.07.2018/2P/4C

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