



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P.(MD)No.11685 of 2018

Velmurugan

... Petitioner

-vs-

1. The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
2. The Assistant Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.
3. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
4. S.Ramamoorthy (Chief),
Human Resources,
M/s.Sesai Paper and Board Ltd.,
Tirunelveli Unit,
Elanthaikulam,
Singamparai Post,
Seranmahadevi,
Tirunelveli District.

... Respondents

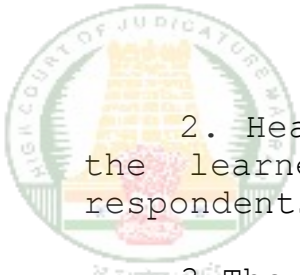
Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioner and co-purchasers under the guise of enquiry.

For Petitioner : Mr.S.Sundarapandian,

For R1 to R3 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner and co-purchasers under the guise of enquiry.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents.

3. The learned counsel appearing for the petitioner would submit that the fourth respondent has created a fraudulent document and filed a suit in O.S.No.76 of 2018 and got an ex-parte injunction. Taking advantage of the ex-parte injunction, the fourth respondent has illegally trespassed into the petitioner's property and damaged the fencing and gave a life threat to the petitioner. In this regard, the petitioner lodged a complaint before the third respondent on 28.06.2018 against the fourth respondent. The fourth respondent also gave a complaint to the second respondent against the petitioner and the second respondent police has sent a summon to the petitioner to appear for an enquiry and harassed the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondents 1 to 3, on instructions, would submit that the petitioner's complaint is pending before the third respondent and the fourth respondent's complaint is pending before the second respondent. He would further submit that the petitioner has not co-operated for the enquiry. If the petitioner co-operates with the enquiry, the said enquiry will be completed within two weeks.

5. Considering the above facts, the petitioner is directed to appear before the third respondent and co-operate for an enquiry and therefore, the third respondent shall conduct an enquiry and to complete the same within a period of three weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the parties concerned.

6. It is needless to say that the fourth respondent has also given a complaint to the second respondent and the same has to be forwarded to the third respondent, since the third respondent is the competent authority to conduct the enquiry, on the said complaint.

7. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS-I)

To

<https://hcservices.tn.scribd.com>
The Superintendent of Police,
Tirunelveli,
Tirunelveli District.



2. The Assistant Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.

3. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.

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

+1cc to Mr.S.Sundarapandian, Advocate Sr.No.72778

AM

VB/PN/SAR1/31.07.2018/3P/6C

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