



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.08.2018
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.14217 of 2018

WEB COPY

Nanjappan

... Petitioner

Vs.

1. The Superintendent of Police
Tirunelveli District
Tirunelveli

2. The Inspector of Police
(Anti Land Grabbing)
Tirunelveli District
Tirunelveli

3. Paldurai

4. John

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent not to harass the petitioner, his brother Arun Anand and his wife Sulochana Anand by compelling them to execute the cancellation deeds of the sale deeds dated 18.11.1996 and settlement deeds both dated 18.05.2015 thereby interfering in civil matters.

For Petitioner : Mr.S.R.Anbarasu

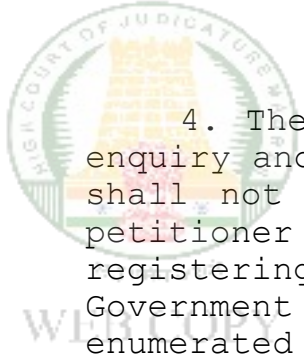
For Respondents : Mr.K.Chandrasekaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner, his brother Arun Anand and his wife Sulochana Anand by compelling them to execute the cancellation deeds of the sale deeds dated 18.11.1993 and settlement deeds dated 18.11.1996 and settlement deeds both dated 18.05.2015 thereby interfering in civil matters

2. Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor for the respondents.

3. The learned Additional Public Prosecutor appearing for the respondent police submits that on the complaint against the petitioner, petition enquiry is pending in proceedings No.677/2438/35751/2018 on the file of the first respondent police.



4. The petitioner is directed to cooperate with the police for enquiry and at the time of conducting of the enquiry, the petitioner shall not be harassed by the police. The police cannot call the petitioner on a regular basis in the guise of enquiry without even registering an FIR and Supreme Court of India in Lalitha Kumari Vs. Government of Uttar Pradesh reported in 2013 (6) CTC 353 has enumerated the nature of cases where preliminary enquiry can be conducted and has also restricted the period, for which preliminary enquiry can be conducted. During the course of enquiry, if any cognizable offence is made out, second respondent is free to register an FIR and this order shall not be a shield for the petitioner against the respondent proceeding to take action in accordance with law.

5. With the above direction, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Superintendent of Police
Tirunelveli District
Tirunelveli
2. The Inspector of Police
(Anti Land Grabbing)
Tirunelveli District
Tirunelveli
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.R.Anbarasu, Advocate, SR.No.78715

Cr1.O.P.(MD)No.14217 of 2018
13.08.2018

AAV
ES/SKN/RSK/SAR 4/04.09.2018/2P/5C