



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Cr1.O.P.(MD).No.20082 of 2018

1.L.Dhanalakshmi
2.L.Ramesh
3.L.Gopikannan
4.L.Pathma

... Petitioners

Vs.

1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
Anti-Land Grabbing Special Wing,
Theni District, Theni.

3.J.Parameshwari

.. Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent not to harass the petitioners by way of the guise of petition enquiry.

For Petitioners : Mr.Manivel Pandian
for Mr.R.Kannan

For R-1 and R-2 : Mr.R.Anandharaj
Additional Public Prosecutor

O R D E R

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

2. The learned counsel for the petitioner would submit that the first petitioner's husband and the third respondent's husband are brothers. There is a civil dispute pending between the parties in respect of which, the third respondent's husband has filed a civil suit in O.S.No.91 of 2017, before the Sub-Court, Theni against the petitioners 1 to 3 with regard to share of the properties and the same is still pending. Further, the allegation is that the third respondent's husband and son trespassed into the petitioner's house and damaged the house hold articles and also stolen household



articles and documents. In respect of such occurrence, the second petitioner preferred a complaint against them, before the Palanichettipati Police Station which was registered in CSR.No.588 of 2018. The learned counsel would further submit that in the meanwhile, the third respondent has made a false complaint against the first petitioner and the same has been forwarded to the second respondent based on which, the second respondent had called the petitioners for enquiry on 24.10.2018 and though the petitioners appeared and explained their case, it was not considered and the second respondent had threatened the petitioners to vacate from the suit properties in favour of the third respondent. Therefore, the petition has been filed seeking not to harass the petitioners.

3. The learned Additional Public Prosecutor would submit that the complaint has been received by the second respondent on reference from the Superintendent of Police. In respect of the complaint an enquiry had been conducted and in order to conclude the enquiry, the second respondent had sought copies of certain documents which the petitioners have not furnished so far.

4. In view of the said submissions, this Court directs the petitioners to submit the copies of the documents sought for by the second respondent police and on receipt of the same, the second respondent police shall conduct enquiry and conclude it in accordance with law.

5. With the above observations, the Criminal Original Petition stand closed.

Sd/

Assistant Registrar(AD-I)

/True copy/

Sub Assistant Registrar(CS-IV)

To

1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
Anti-Land Grabbing Special Wing,
Theni District, Theni.

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

+1cc to Mr.R.KANNAN, Advocate, SR.No.94829

Cr1.O.P. (MD) .No.20082 of 2018

SJI

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