



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P. (MD) No.20576 of 2018

Muthukannan

: Petitioner

Vs.

1. Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

2. A.Senthilkumar

3. A.Elavarasan

4. A.Senthil

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent Police not to harass the petitioner under the guise of enquiry or investigation under the false notion projected by the respondents 2 to 4 so as to help the private respondents 2 to 4 to cut the paddy crops raised by the petitioner in survey no.15/7, 16/4 and 24/9A situated at Meenatchipuram Pit 1, Madurai East Taluk, Madurai District.

For Petitioner

: Mr.S.Siva Ilayaraja

For R1

: Mr.R.Anandharaj

Additional Public Prosecutor

For R2 to R4

: Mr.Guruchev

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent Police not to harass the petitioner under the guise of enquiry.

2.The learned counsel appearing for the petitioner submitted that the petitioner is in possession of the properties in Survey Nos.15/7, 16/4 and 24/9A situated at Meenatchipuram Pit 1, Madurai East Taluk, Madurai District and he cultivated the said land and raised paddy crops and now the respondent Nos.2 to 4 are trying to harvest the same with the help of the respondent Police. Hence, he prayed for allowing this petition.

3.Mr.Guruchev, learned counsel, who entered appearance for respondent Nos.2 to 4, would submit that the respondent Nos.2 to 4 are the owners of the properties and they have also filed a suit in O.S.No241 of 2018 before the learned District Munsif Court, Madurai and obtained interim injunction and now the petitioner filed this



false petition and attempting to enforce a civil remedy before this Court and he would pray for dismissal of this petition.

4. The learned Additional Public Prosecutor appearing for the first respondent would submit that the petitioners and the respondents 2 to 4 are rival claimants in respect of properties in survey nos. 15/7, 16/4 and 24/9A and that there is a complaint regarding the said issue. He would further submit that the respondent Police is enquiring into the complaint and if the existence of civil dispute between the parties is disclosed, the respondent Police will certainly refer the parties to approach the appropriate civil Court to enforce their civil right.

5. Recording the above submission of the learned Additional Public Prosecutor, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar(CRL.SIDE)

/True Copy/

Sub Assistant Registrar(CS-I)

To

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

+1cc to Mr.S.Siva Ilayaraja, Advocate Sr.No.95894

+1cc to Mr.Guruchev, Advocate Sr.No.95578

GNS

KM/BK/SAR1/18.12.2018/2P/5C

Cr1.O.P. (MD) No.20576 of 2018
16.11.2018