

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 8146 of 2019

V.K.Parthasarathy

...Petitioner

Vs.

State Rep by.,

1.The Superintendent of Police,
Kancheepuram District, Kancheepuram.

2.The Deputy Superintendent of Police,
Chengalpattu, Kancheepuram District.

3.The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu, Kancheepuram District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents Police not to harass the petitioner by way of interfering with the petitioner's peaceful possession in land situated in S.No.74/1, Vedhanarayanapuram Village, Chengalpattu Taluk, Kancheepuram District and threatening the petitioner to vacate from the said land.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.C.Raghavan
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking direction to the 3rd respondent police not to harass the petitioner in connection with Crime No.87 of 2011 pending on the file of 3rd respondent Police.

2. Heard the learned Counsel for the petitioner and learned Government Advocate (Crl. Side) for the respondents police.

3. The learned counsel appearing for the petitioners submits that there is a Civil dispute between the parties in O.S.No.174 of 2011 on the file of the District Munsif Court,

Chengalpattu. He further submitted that the 3rd respondent police harassed the petitioners under the guise of enquiry.

4. The learned Government Advocate (Crl. Side) appearing for the respondents police submits that the police called the petitioner for enquiry in the pending FIR in Crime No.87of 2011. The case where the FIR is pending against the petitioner, there is no scope for this Court to entertain the petition under Section 482 of Cr.P.C., under the caption "Not to harass".

5. However, it is seen that there is a Civil dispute between the petitioner and the counter parties. Therefore the 3rd respondent has no business to interfere with the Civil dispute between the parties.

6. Considering the facts and circumstances of this case the 3rd respondent is directed Not to harass the petitioner when the Civil Suit are pending before the concerned Court. Hence, this Criminal Original petition is dispose of.

Sd/-

Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

rri/msm
To

1.The Superintendent of Police,
Kancheepuram District, Kancheepuram.

2.The Deputy Superintendent of Police,
Chengalpattu, Kancheepuram District.

3.The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu, Kancheepuram District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prakasam, Advocate SR.No.29348

Crl.O.P.No.8146 of 2019

PMS (CO)
GMY (29/04/2019)