



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE
CRL.O.P. [MD].No.3359 of 2019

WEB COPY

K.Sethupathi

... Petitioners

Vs.

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

2.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.

3.Vigneshwaran
The Sub Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.

4.C.Sagayaselvaraj

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the second and third respondents not to interfere in civil dispute pending between the petitioner and the fourth respondent and conduct Katta Panchayat in civil dispute.

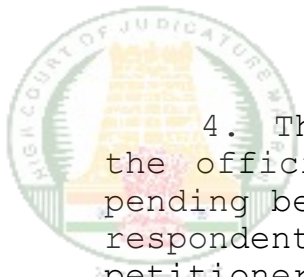
For Petitioners : Mr.B.Prasanna Vinoth
For R1 and R2 : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side).

ORDER

The present petition has been filed to direct the second and third respondents not to interfere in civil dispute pending between the petitioner and the fourth respondent and conduct Katta Panchayat in civil dispute.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the official respondents.

3. The learned counsel for the petitioner submitted that the fourth respondent with no right whatsoever over the property of the petitioner is causing interference and at the behest of the fourth respondent, the second and third respondents are harassing the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the official respondents submitted that there is a civil dispute pending between the parties. It is his further submission that the respondent police has neither harassed nor intended to harass the petitioner.

5. The said statement of the learned Government Advocate (Crl.Side) is recorded.

6. It is settled law that if the dispute is of civil nature, then, the police shall not step-in. However, if it involves any criminal overtone, the police can interfere in it. Inasmuch as the prayer sought for is limited that the petitioner should not be harassed, the Investigating Agency is directed to enquire the matter strictly in accordance with law and should not adopt any extra legal methods. If at all the presence of the petitioner is required by the respondent police for any preliminary enquiry, the same shall be done by issuing summons mentioning a specific date and time for enquiry. During enquiry, there shall not be harassment to the petitioner.

7. With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

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To

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

2.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.

3.Vigneshwaran
The Sub Inspector of Police,
Kalayarkovil Police Station, Sivagangai District.

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

+1CC TO MR.B.PRASANNA VINOTH, Advocate Sr. No.51891

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