



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P. (MD) No.3851 of 2019

1.J.Angaleeswari
2.J.Nagasundar

... Petitioners

/Vs./

1. The Superintendent of Police,
Sivagangai District.

2. The Deputy Superintendent of Police,
District Crime Branch, Sivagangai District,
Sivagangai.

3. The Inspector of Police,
District Crime Branch,
Sivagangai District, Sivagangai.

4.R.Janakiraman

... Respondents

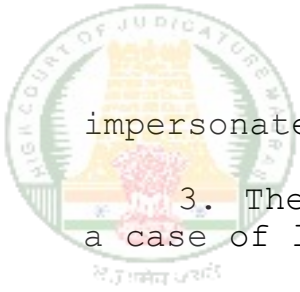
Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the respondents no.1 to 3 not to interfere with the civil dispute between the petitioner and the 4th respondent based on the representation given by the 1st petitioner dated 08.03.2019.

For Petitioners	: Mr.V.Baskaran
For R-1 to R-3	: Mr.V.Neelkandan Additional Public Prosecutor
For R-4	: Mr.N.V.Thangadurai

ORDER

A representation is made on behalf of the learned counsel for the petitioner on record seeking an adjournment. However, this is the second adjournment and therefore this Court chooses to hear the learned counsel appearing for the fourth respondent and the learned Additional Public Prosecutor to understand what the case is all about and whether the adjournment should at all be granted.

2. The submission made by the learned counsel appearing for the fourth respondent and the learned Additional Public Prosecutor is that the fourth respondent owns a vast stretch of a land measuring about 125 acres and that the petitioners herein have conspired to



impersonate and executed some sale deed in favour of the strangers.

3. The learned Additional Public Prosecutor added that this is a case of land grabbing.

4. If the complaint *prima facie* discloses commission of any cognizable offence, it is intriguing as to why the police should retain the complaint dated 28.02.2019 till date without following the dictum in the judgment reported in **2013 (6) CTC 353 [Lalitha Kumari Vs. Government of Uttar Pradesh]**. If the third respondent is now keen to interrogate preliminarily, then necessarily it can take place only on summons, but even then to keep a complaint pending for one month can be baffling. As indicated herein if at all the third respondent is keen to interrogate the petitioners, the same should be done on summons or else the third respondent is directed to proceed with the complaint of the fourth respondent in the manner known to law. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
Sivagangai District.
2. The Deputy Superintendent of Police,
District Crime Branch, Sivagangai District,
Sivagangai.
3. The Inspector of Police,
District Crime Branch,
Sivagangai District, Sivagangai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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