



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.3957 of 2019

Adaikalasamy

:Petitioner

Vs.

1. State rep by its
The Superintendent of Police,
Dindigul District, Dindigul.

2. The Inspector of Police,
Palani Town Police Station,
Dindigul District.

3. Rafael

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent not to indulge in Katta Panchayat under the guise of enquiry on the foisted complaint of the third respondent dated 02.02.2019.

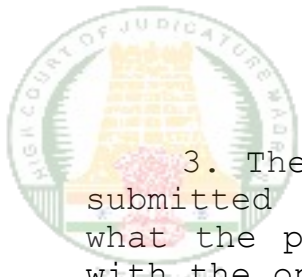
For Petitioner : Mr.T.Leninkumar

For R1 and R2 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Cr1.Side)

ORDER

The petitioner submits that he is running Anbu Vazhvu Ashramam, that he took pity on the father of the third respondent and allowed him to stay there, and later the third respondent claiming himself to be a tenant went to the Civil Court and the said suit came to be dismissed, challenging which he has preferred First Appeal. In the meantime, he has approached the second respondent with the complaint, based on which the second respondent is showing his weight as the Inspector of Police and attempts not only to interfere with the ongoing civil proceedings and also forces the petitioner to compromise with the third respondent. He also prevents the petitioner to construct the compound Wall around his Ashramam property.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1.Side) for the respondent Police.



3. The learned Government Advocate (Crl.Side), on instructions, submitted that the second respondent has not engaged in anything what the petitioner alleges as 'Katta Panchayat' nor he interferes with the ongoing suit litigation.

4. The statement made by the learned Government Advocate (Crl.Side) is recorded.

5. Suffice for the present to state that inasmuch as there is an ongoing civil dispute, the second respondent is instructed to stay away and if at all there is any complaint *prima facie* disclosing any commission of crime, then if the second respondent requires to enquire the petitioner preliminarily, the same shall be done only on summons.

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

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Dindigul District, Dindigul.
2. The Inspector of Police,
Palani Town Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-54455[F] dated 15/03/2019)

TA

TE : 02/04/2019 : 2P/5C

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