



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE. N.SESHASAYEE

Crl.O.P. [MD] .No.4443 of 2019

M.Petchimuthupandian : Petitioner

/Vs./

- 1.The Superintendent of Police, Tirunelveli District.
- 2.The Inspector of Police,
Panavadalichatiram Police Station, Tirunelveli District.
- 3.Thangaraj : Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent police not to harass the petitioner in the pretend of enquiry pertaining to the civil dispute in Survey No.38/1, Thirumalapuram Village, Sankarankovil Taluk, Tirunelveli District.

For Petitioners : Mr.R.Rajamohan
For R-1 & R-2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the 2nd respondent police not to harass the petitioner in the pretend of enquiry pertaining to the civil dispute in Survey No.38/1, Thirumalapuram Village, Sankarankovil Taluk, Tirunelveli District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned counsel for the petitioner submitted that there is a dispute over transfer of patta in the name of the third respondent. On the face of it, it is a civil dispute, yet the second respondent is harassing him presumably on the basis of the complaint given by the third respondent. He further submitted that the second respondent does not permit the petitioner to enter upon his own land.

4. The learned Additional Public Prosecutor submits that the complaint preferred by the third respondent was preliminarily enquired into and found to be closed. The respondent police have not harassed the petitioner and they have no intention to harass him. He further added that there is no truth in the allegation that the second



respondent has not allowed the petitioner to enter his land.

5. The statement of the learned Additional Public Prosecutor is recorded.

6. In such circumstances, if at all the respondent police requires the presence of the petitioner for enquiry / interrogation, they shall issue summons mentioning specific date and time for enquiry and during enquiry, there shall not be harassment. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (T & P)

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Sub Assistant Registrar (CS)

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To

1. The Superintendent of Police, Tirunelveli District.

2. The Inspector of Police,
Panavadalichatiram Police Station, Tirunelveli District.

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

+1CC TO MR.R.RAJAMOHAN, Advocate Sr. No. 56485

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TR (29.04.2019) 2P 5C