



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

Crl.O.P. (MD)No.9355 of 2019

V.Iphen

: Petitioner

Versus

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. The Inspector of Police,
Karunkal Police Station,
Kanyakumari District.

3. R.S.Satheeshkumar

: Respondents

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the second respondent police not to interfere in the civil dispute of the petitioner's property in Resurvey No.572/8 in Old Survey No.4945A of Killiyoor A Village, Vilavancode Taluk, Kanyakumari District.

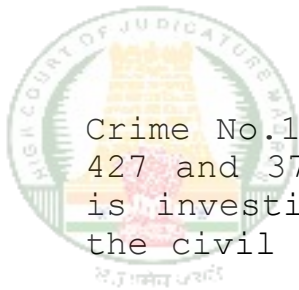
For Petitioner : Mr.P.Muthu Vijaya Pandian
For Respondents 1&2 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

O R D E R

This petition has been filed seeking a direction to the second respondent not to interfere with the civil dispute.

2. The grievance of the petitioner is that, a civil suit is pending between the petitioner and the third respondent. Pending suit, based on the complaint given by the third respondent, the second respondent is interfering with the civil right between the parties and also gave protection to the third respondent to put up construction. In the above circumstances, the present petition has been filed.

3. The learned Government Advocate (Criminal side) appearing for the first and second respondents, on instructions, submitted that now, based on the complaint given by the third respondent, a crime has been registered against the petitioner in



Crime No.190 of 2019 for the offences under Sections 294(b), 447, 427 and 379 of the Indian Penal Code. Only the second respondent is investigating the complaint and they are not interfering with the civil right.

4. Considering the fact that already, a crime has been registered against the petitioner and only the second respondent is investigating the petitioner based on the above said crime, this Criminal Original Petition stands dismissed. However, if at all the petitioner has right over the property, it is always open to him to approach the Civil Court concerned to redress his grievances.

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

SML

To

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
2. The Inspector of Police,
Karunkal Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC to Mr.P.Muthu Vijaya Pandian, Advocate in SR.No.73132

Order made in
Cr1.O.P. (MD) No.9355 of 2019

Dated: 03.07.2019

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