



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.9534 of 2019

A.Pandian : Petitioner
Vs.

1.The Superintendent of Police,
Madurai District.

2.The Sub-Inspector of Police,
Vadipatti Police Station,
Madurai District.

3.P.Dinakaran

4.P.Billa : Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the first and second respondents herein not to harass the petitioner on the foot of false complaint given by the respondents 3 and 4 with regard to the said properties bearing Survey Nos.1352/5 and 1352/6 situated at Chockalingapuram Village, Katchaikatti Hamlet, Vadipatti Taluk and not to interfere with the civil dispute.

For Petitioner : Mr.A.B.Prabhakar
For Respondents 1&2 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

ORDER

This petition has been filed seeking a direction to the first and second respondents not to harass the petitioner.

2. The grievance of the petitioner is that based on the complaint given by the third respondent regarding a civil dispute, the second respondent is calling the petitioner for enquiry and also harassing him. In the above circumstances, the present petition has been filed.

3. Mr.K.Suyambulinga Bharathi, learned Government Advocate (Criminal side), takes notice on behalf of the first and second respondents.
<https://hcservices.ecourts.gov.in/hcservices/>



4. Considering the nature of order being passed in this petition and it is no way prejudice to the third and fourth respondents, notice to them is dispensed with.

5. The learned Government Advocate (Criminal side) appearing for the first and second respondents, on instructions, submitted that the third respondent herein has given a complaint alleging that the petitioner has trespassed into his land and also threatened him that he will lodge a false complaint. Based on that complaint, enquiry has been conducted by the second respondent and the petitioner was also called for enquiry. Without appearing for enquiry, the petitioner has filed the present petition seeking for the aforesaid relief.

6. Considering the fact that already enquiry is pending, based on the complaint given by the third respondent, the petitioner is directed to appear for enquiry and the second respondent is directed not to harass the petitioner under the guise of enquiry.

7. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,
Madurai District.

2.The Sub-Inspector of Police,
Vadipatti Police Station,
Madurai District.

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

+1 CC to Mr.A.B.Prabhakar, Advocate SR.No.73795.

Order made in
CRL.O.P. (MD) .No.9534 of 2019

Dated:
05.07.2019

CS: 12/07/2019 2P 5C