



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CrI.O.P. (MD)No.10100 of 2019

M.Barakath Ali

... Petitioner

Vs.

1.The Superintendent of Police
Ramanathapuram
Ramanathapuram District

2.The Sub Inspector of Police
Anti Land Grabbing Special Cell
Ramanathapuram
Ramanathapuram District

3.The Sub Inspector of Police
S.P.Pattinam Police Station
S.P.Pattinam
Ramanathapuram District

4.A.Syed Kamaruthin

...Respondents

Prayer:This Criminal Original Petition has been filed under Section 482 Cr.P.C. directing the third respondent not to interfere with the civil dispute and also not to harass the petitioner herein.

For Petitioner : Mr.N.Pragalathan

For Respondents 1 to 3 : Mr.K.Suyambulinga Bharathi

Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition has been filed to direct the third respondent not to interfere with the petitioner's civil dispute.

2The grievance of the petitioner is that there was a civil dispute between the petitioner and the fourth respondent in respect of the property situated in S.No.144 /2B, Pathanagudi Village, Ramanathapuram District. Earlier, based on the complaint given by the fourth respondent, the second respondent namely, the Sub Inspector of Police, Anti Land Grabbing Special Cell, Ramanathapuram District had conducted an enquiry and closed the same as 'civil in nature'. Even thereafter, the fourth respondent gave the very same complaint before the third respondent police



against the petitioner herein. Based on the complaint, the third respondent police is harassing the petitioner under the guise of enquiry. Hence, the present criminal original petition has been filed.

3.Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3, on instructions, would submit that the earlier complaint given by the fourth respondent was enquired by the Sub Inspector of Police, Anti Land Grabbing Special Cell, Ramanathapuram and the same was closed as 'Civil in Nature'. Thereafter, the fourth respondent gave a complaint before the third respondent police against the petitioner. Based on that, an enquiry was conducted by the third respondent police and he is not harassing the petitioner. That apart, the main allegation was made against one Aravind Raj, who is the Sub Inspector of Police was transferred to other Police Station.

4.Considering the above facts and circumstances of the case, now only an enquiry is pending against the petitioner and the concerned Sub Inspector of Police is also transferred to some other Police Station, the enquiry can be proceeded and the respondent police is directed not to harass the petitioner under the guise of enquiry.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

msa

To:

- 1.The Superintendent of Police
Ramanathapuram
Ramanathapuram District
- 2.The Sub Inspector of Police
Anti Land Grabbbing Special Cell
Ramanathapuram
Ramanathapuram District
- 3.The Sub Inspector of Police
S.P.Pattinam Police Station
S.P.Pattinam
Ramanathapuram District



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

+1CC TO MR.N.PRAGALATHAN, Advocate Sr. No. 76118

Cr1.O.P.(MD)No.10100 of 2019
18.07.2019

PM(CO)
TR (30.07.2019) 3P 6C