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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.10518 of 2019

M.Murugan

: Petitioner

Vs.

- 1.The Superintendent of Police,
O/o. Superintendent of Police,
Virudhunagar District.
- 2.The Inspector of Police,
Appaiyanayakkanpatti Police Station,
Appaiyanayakkanpatti, Sattur Taluk,
Virudhunagar District.
- 3.The Sub Inspector of Police,
Appaiyanayakkanpatti Police Station,
Appaiyanayakkanpatti, Sattur Taluk,
Virudhunagar District.
- 4.Mr.Iyer,
Head Constable,
Appaiyanayakkanpatti Police Station,
Sattur Taluk, Virudhunagar District.

: Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the respondents 3 and 4 not to harass the petitioners in the name of enquiry and consequently, directing the first and second respondents to take action against the third and fourth respondents for using their official capacity unlawfully.

For Petitioner
For R-1 to R-3

: Mr.C.M.Arumugam
: Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to the second and third respondents not to harass the petitioner under the guise of enquiry.

2.According to the petitioner, there is a civil dispute between the petitioner and the third party. Now on the pending civil suit, at the instigation of the defendant in the suit, the respondents 2 to 4 are harassing the petitioner and also asking him



to remove the construction put up in the petitioner's property. Hence, the present petition has been filed seeking direction to the respondents not to harass the petitioner.

3. Today, when the matter was taken up for hearing, the learned Government Advocate (Crl. side) appearing for the respondents 1 to 4, on instructions, submitted that there is a civil dispute between the parties. Earlier, a First Information Report has been registered against the petitioner in Crime No.20 of 2108, based on a complaint given by one of the defendants in the suit, against the petitioner before the concerned Police Station. Now, the investigation is over and final report is also filed before the concerned Jurisdictional Court. Once again another complaint has been given by one Karupphasamy against the petitioner. Based on that complaint, now enquiry has been conducted and after completing the enquiry, the complaint has been closed as it is only a civil dispute between the parties. He further submitted that the respondents 2 to 4 are not harassing the petitioners.

4. Recording the above said submission, now the complaint has already been enquired and closed, the respondents 2 to 4 are directed not to harass the petitioner.

5. Accordingly, the Criminal Original Petition stands closed.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Virudhunagar District.
2. The Inspector of Police,
Appaiyanayakanpatti Police Station,
Appaiyanayakanpatti, Sattur Taluk,
Virudhunagar District.
3. The Sub Inspector of Police,
Appaiyanayakanpatti Police Station,
Appaiyanayakanpatti, Sattur Taluk,
Virudhunagar District.



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

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Order made in
CRL.O.P. (MD) .No.10518 of 2019
Dated: **25.07.2019**

CS (CO)
TR (09.08.2019) 3P 5C