



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.(MD).No.11288 of 2019

Asir Jebaraj : Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli, Tirunelveli District.

2.The Inspector of Police,
Anti Land Grabbing Cell,
Tirunelveli District.

3.Kovil Pitchai : Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the second respondent not to harass the petitioner without following the due process of law.

For Petitioner : Mr.C.Susi Kumar

For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

For Respondent No.3 : Mr.M.Maharaja

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner.

2.The grievance of the petitioner is that there is a civil dispute between the petitioner and the third respondent. Now, based on a complaint given by the third respondent, the second respondent Police is harassing the petitioner. According to the petitioner, the third respondent is the brother of his father and a family property has been given to the petitioner's father and patta was also transferred in his name. After the death of his father, the petitioner and his brothers shared the property equally among themselves. The petitioner is now in possession and enjoyment of the property. Now the third respondent is claiming that the petitioner forged the patta. Thereafter, the third respondent gave a complaint before the second respondent Police. Based on the same, the second respondent is harassing the petitioner. Hence, the present petition has been filed.



3.The learned counsel appearing for the third respondent submitted that the property belongs to him and the petitioner changed the patta in his name and tried to push up the property.

4.The learned Government Advocate (Criminal side) appearing for the respondents 1 and 2, on instructions, submitted based on a complaint given by the third respondent, enquiry has been conducted and the respondent Police are not harassing the petitioner as alleged by him.

5.Considering the fact that the enquiry is pending before the second respondent Police, the petitioner and the third respondent is directed to appear before the second respondent for enquiry and co-operate with the enquiry and the second respondent is further directed not to harass the petitioner under the guise of enquiry.

6.With the above direction, the Criminal Original Petition stands closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli, Tirunelveli District.

2.The Inspector of Police,
Anti Land Grabbing Cell,
Tirunelveli District.

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

Order made in
CRL.O.P. (MD) .No.11288 of 2019
09.08.2019

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MS/05.09.2019/2P.4C