



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2020

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THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P(MD)No.6551 of 2020

K.Murugesan

... Petitioner

Vs

1. The Superintendent of Police,
Karur District.
2. The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Karur District.
3. The Inspector of Police,
Anti Land Grabbing Special Cell,
Karur District.
4. Karuppannagounder

... Respondents

Prayer: Petition filed under Section 482 of the Criminal Procedure Code, to direct the respondents 1 to 3 not to interfere in the civil dispute on the guise of enquiry on the basis of the summon issued by the 3rd respondent dated 13.06.2020.

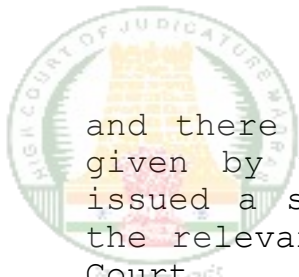
For Petitioner : Mr.K.Balasubramani

For Respondents : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 to 3 not to interfere in the civil dispute under the guise of enquiry on the basis of the summon issued by the third respondent dated 13.06.2020.

2. The learned counsel appearing for the petitioner submits that the petitioner's father and the fourth respondent are brothers



and there is a property dispute between them and on the complaint given by the fourth respondent, the third respondent police has issued a summon dated 13.06.2020 to appear before them along with the relevant documents and hence the petitioner has approached this Court.

3. The learned Additional Public Prosecutor, on instructions, submits that the third respondent - Inspector of Police, Anti Land Grabbing Special Cell, Karur District, received a complaint from Karuppannagounder, S/o.Velappagounder - fourth respondent, as if the petitioner has transferred the property without any valid title and therefore, the petitioner was issued with a summon dated 13.06.2020, under Sections 91 and 160 Cr.PC, to produce the sale deed and other title deeds in favour of the petitioner. But the petitioner, without cooperating for the enquiry, has approached this Court.

4. Heard Mr.K.Balasubramani, learned Counsel appearing for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the State.

5. Considering the rival submissions made by the learned counsel appearing on either side, this Criminal Original Petition is disposed of with a direction to the petitioner to appear before the third respondent police within a period of one week from the date of receipt of a copy of this order. During the enquiry if it reveals that the petitioner has committed any criminal offence, it is open to the third respondent police to proceed in accordance with law. Till such time, the petitioner shall not be harassed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Superintendent of Police,
Karur District.



2. The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Karur District.

3. The Inspector of Police,
Anti Land Grabbing Special Cell,
Karur District.

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

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