



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.06.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

Crl.O.P. (MD)No.6754 of 2020

R.Suresh

... Petitioner

versus

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

2. The Inspector of Police,
Town Police Station
Bodinayakanur
Theni District

3. S.C.S.Nirmala

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, seeking to direct the 2nd respondent not to harass the petitioner without following the due process of law.

For Petitioner : M/s.N.Kamesh

For R1 and R2 : Mr.K.K.Ramakrishnan

Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction against the 2nd respondent not to harass the petitioner without following the due process of law.

2. The learned counsel for the petitioner submits that the petitioner is the tenant and the third respondent is the landlord. The petitioner is residing at the third respondent premises from the year 2007. In the year 2018, the third respondent informed the petitioner that the rent has been increased from Rs.6,000/- to Rs.10,000/- and if he is not willing to pay the increased rent, he has to vacate the premises. Though the petitioner paid the rent regularly, the third respondent trying to evict him with the help of rowdy elements. Therefore, the petitioner lodged a complaint in Current Paper No.6/2874//19/SP/GDP2020 and after enquiry, the same was closed on 17.03.2020 and the parties are advised to appear before the competent Civil Court. He further submits that since the third respondent is continuously trying to evict the petitioner, he has filed a suit in O.S.No.37 of 2019 before the learned District Munsif Court, Bodinayakanur for permanent injunction and the same is still pending. However, the third respondent with the help of the second respondent threatened the petitioner to vacate the premises without following the due



process of law. Therefore, the petitioner is before this Court.

3.Learned Additional Public Prosecutor submits that the complaint given by the petitioner has already been closed and the parties are advised to appear before the competent Civil Court.

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4.Heard, Mr.N.Kamesh, learned counsel for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the State.

5.Considering the facts and circumstances of the case and also considering the fact that the complaint given by the petitioner has already been closed and the parties are advised to appear before the competent civil Court and also considering the fact that the civil suit in O.S.No.37 of 2019 is pending before the learned District Munsif, Bodinayakanur, no further orders are required in this Criminal Original Petition.

6.With the above observation, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (AD-II)

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/ /2020

Sub Assistant Registrar(CS)

msa/vsm
To

1. The District Munsif,
Bodinayakanur,
Theni District.
2. The Superintendent of Police,
Theni,
Theni District.
3. The Inspector of Police,
Town Police Station
Bodinayakanur
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KV (08.07.2020) 2P 5C