



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.09.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

CrI.O.P.[MD]No.10085 of 2020

WEB COPY

1.S.Shankar
2.S.Kannan
3.S.Arumugam
4.S.Kasi Viswanathan

... Petitioners

Vs.

1.State represented by its
The Superintendent of Police,
Sivagangai District, Sivagangai.
2.The Deputy Superintendent of Police,
Karaikudi, Sivagangai District.
3.The Sub-Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.
4.Thavamuni,
Sub Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.

5.Chelladurai

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second and third respondents not to interfere with the civil dispute of the petitioners and the fifth respondent under the guise of enquiry on the foisted complaint of the fifth respondent.

For Petitioners : Mr.T.Lenin Kumar
For R-1 to R-3 : Mr.C.M.Ganesan
Government Advocate (Criminal side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the second and third respondents not to interfere with the civil dispute of the petitioners and the fifth



respondent under the guise of enquiry on the foisted complaint of the fifth respondent.

2. Heard the learned Counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the respondents 1 to 3 and perused the materials placed on record.

3. When the petition is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents 1 to 3, on instructions, would submit that on receipt of the complaint given by the fifth respondent, the third respondent police conducted an enquiry and registered a case in Crime No.404 of 2020 for the offence punishable under Sections 294 (b) and 506 (i) of I.P.C, against the petitioner.

4. In the said circumstances, once a regular First Information Report has been registered, the question of 'not to harass' will not arise. Hence, if any direction is issued at this stage, it will amount to interfere with the investigation conducted by the third respondent police.

5. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

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,
Sivagangai District, Sivagangai.

2. The Deputy Superintendent of Police,
Karaikudi, Sivagangai District.



3.The Sub-Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.

WEB COPY

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

Order made in
CrI.O.P.[MD]No.10085 of 2020
Dated : 22.09.2020

SRK(CO)
TR(01.10.2020) 3P 5C