



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11373 of 2020

M.Bilomin Rabhisha

... Petitioner

Vs

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

2.The Inspector of Police,
Vallior Police Station,Radhapuram Taluk
Tirunelveli District.

3.Mariya Vimala Rani

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondent No.2 not to harass the petitioner and her family members by threatening the petitioner to stop the construction of her house in cents 11.60 in Survey Number 721/5B1A as per sub division according to the approved plan at Achambadu Village, Radhapuram Taluk, Tirunelveli District, thereby interfering in civil matter.

For Petitioner : Mr.S.R.Anbarasu

For R1 & R2 : Mr.V.Neelakandan,

Additional Public Prosecutor.

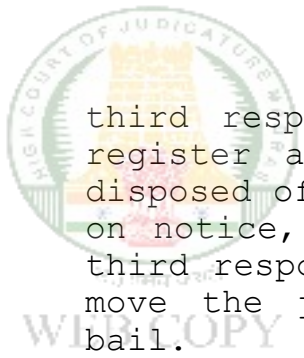
O R D E R

The petitioner alleges harassment at the hands of the second respondent.

2.The learned Additional Public Prosecutor appearing for the first and second respondents states that the complaint given by the third respondent against the petitioner was enquired into and already closed.

3.The petitioner is said to have given a statement before the second respondent. A copy of the statement has been made available. The petitioner has given an undertaking that she will not put up any construction.

4.I make it clear that such an undertaking given under coercive circumstances cannot be put against the petitioner herein. If the third respondent wants to restrain the petitioner from putting up any construction, the third respondent has to file an injunction suit against the petitioner. If the petitioner has committed any cognizable offence and the same is evident from the



third respondent's complaint, the respondent police will have to register an FIR. Therefore, this criminal original petition is disposed of by directing the second respondent to put the petitioner on notice, if they register any FIR based on the complaint of the third respondent so that the petitioner will have breathing time to move the jurisdictional Court for the relief of anticipatory of bail.

Sd/-

Assistant Registrar (Rcords)

// True Copy //

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Sub Assistant Registrar(CS)

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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 Superintendant of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Vallior Police Station,Radhapuram Taluk
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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