



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.11707 of 2020

1. Dr.K.Vembanan,
S/o.Kaliappa Gounder,
Chairman,
Sakthi Educational Institutions,
Thiruvalluvar Salai,
Oddanchathiram,
Dindigul District.
2. Dr. Gokila,
W/o.Dr.K.Vembanan,
Chair Person,
Sakthi Educational Institutions,
Thiruvalluvar Salai,
Oddanchathiram,
Dindigul District.
3. K.Sivakumar,
S/o.Kannan,
Secretary,
Sakthi Institutions,
Thiruvalluvar Salai,
Oddanchathiram,
Dindigul District.
4. T.R.Thirumalai Rajan,
S/o.Raja,
Sakthi Institutions,
Thiruvalluvar Salai,
Oddanchathiram,
Dindigul District.

... Petitioners

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
2. The Inspector of Police,
<https://hcservices.ecourts.gov.in/hcservices/>
District Crime Branch,
Dindigul District.



3. Sivasubramani

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct respondents 1 and 2 not to interfere in the civil dispute between the petitioner institution and the third respondent pertaining to the construction of hostel and other buildings of the petitioner institution at the instance of the third respondent.

For Petitioners : Mr.Veerakathiravan,
Senior Counsel,
for M/s.Veera Associates.

For R-1 & R-2 : Mr.V.Neelakandan,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for respondents 1 and 2.

2. The petitioners allege harassment at the hands of the local police. The learned Senior counsel would also contend that the second respondent is compelling the petitioners to part with certain sum of money to the third respondent. The petitioners do not want the police to interfere in the civil dispute. The third respondent appears to have given a complaint against the petitioners.

3. The learned Additional Public Prosecutor states that the enquiry is still pending.

4. I am of the view that interest of justice will be served by issuing the following directions:-

(i) The second respondent will issue summons in writing, if he wants to enquire the petitioners. There cannot be any oral summon for attending enquiry.

(ii) If the second respondent registers any FIR, the petitioners will be given due notice, so that, the petitioners will have breathing time to move the concerned Court for the relief of anticipatory bail.

(iii) The second respondent is directed to conclude the enquiry within a period of four weeks from the date of receipt of a copy of this order.

(iv) Under no circumstance, the second respondent police will compel the petitioners to agree to certain terms of compromise.



4. With this direction, this criminal original petition is disposed of.

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Sd/-

Assistant Registrar (CS-II)

// 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,
Office of the Superintendent of Police,
Dindigul District.
2. The Inspector of Police,
District Crime Branch,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-20606[F] dated 20/10/2020)

Crl.O.P.(MD)No.11707 of 2020
16.10.2020

pmu

SDS (03.11.2020) 3P-5C