



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.11.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

Crl.O.P. (MD)No.12307 of 2020

1.S.Karuppasamy

2.Thatchanamoorthy

3.Shanmugasundaram

... Petitioners

Vs.

1.The State rep. through
The Commissioners of Police,
Madurai City,
Madurai.

2.The Inspector of Police
Central Crime Branch,
Madurai City,
Madurai.

3.Angayarkanni

...Respondents

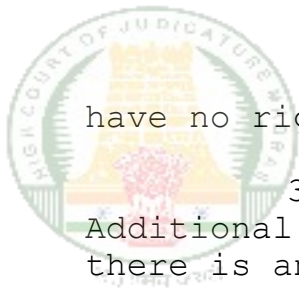
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to harass the petitioners by interfering with the civil dispute between the petitioners and the third respondent in the guise of enquiry based on the false complaint of the third respondent.

For Petitioners : Mr.R.Manoharan
For Respondents 1 and 2 : Mr.V.Neelakandan,
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the second respondent not to harass the petitioners by interfering with the civil dispute between the petitioners and the third respondent in the guise of enquiry based on the false complaint of the third respondent.

2.The petitioners would state that the petitioners and the third respondent are close relatives. On 09.09.2020, the third respondent has lodged a false complaint before the respondent police in C.S.R.No.433 of 2020 against the petitioners, alleging that they are quarrelling with her by not giving her father's firm profit and the respondent police advised them to approach appropriate Civil Court for redressing their grievance. Thereafter, the third respondent lodged another complaint on 21.10.2020 and the



have no right to interfere with the civil dispute.

3. When the petition is taken up for hearing, the learned Additional Public Prosecutor, on instructions, would submit that there is an enquiry pending against the petitioners.

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

5. Considering the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the respondents 1 and 2 to follow the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** while enquiring the petitioners.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

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 State rep. through
The Commissioners of Police,
Madurai City, Madurai.
2. The Inspector of Police
Central Crime Branch,
Madurai City,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.GOWRI SHANKAR, Advocate (SR-21419[F] dated 06/11/2020)

Crl.O.P.[MD]No.12307 of 2020
04.11.2020

CK(CO)

KB(19.11.2020) 2P 5C

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