



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.11.2020**

CORAM:

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

Crl.O.P. (MD)No.12743 of 2020

WEB COPY

Maria John Xavier

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District
Nagercoil.

2.The Inspector of Police
Anjugramam Police Station,
Anjugramam
Kanyakumari District.

3.Thangarani

4.Viyagulam

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction to the first respondent to direct the second respondent not to interfere in civil dispute, subject to the pending disposal of civil suit in O.S.No.22 of 2019 on the file of the District Munsif Court, Nagercoil, Kanyakumari District, based on the petitioner's complaint dated 03.11.2020.

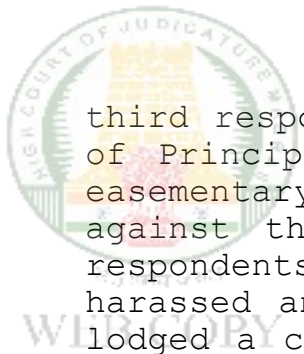
For Petitioner	: Mr.L.George Paul Anto
For Respondents 1 & 2	: Mr.V.Neelakandan, Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the first respondent, to direct the second respondent not to interfere with the civil dispute, subject to the pending disposal of civil suit in O.S.No.22 of 2019 on the file of the District Munsif Court, Nagercoil, Kanyakumari District, based on the petitioner's complaint dated 03.11.2020.

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

3.The learned counsel for the petitioner would state that the respondents 3 and 4 are the owner of the adjacent land. The



third respondent has filed a suit in O.S.No.22 of 2019 on the file of Principal District Munsif Court, Nagercoil, for the relief of easementary rights, permanent injunction and mandatory injunction against the petitioner and others and the same is pending. The respondents 3 and 4 with money and muscle power continuously harassed and threatened the petitioner. Therefore, the petitioner lodged a complaint before the second respondent police against the respondents 3 and 4 and the same has been registered in C.S.R.No.458 of 2020 dated 29.10.2020.

4.The grievance of the petitioner is that though the petitioner has given a complaint, now the respondent police without taking any action against the respondents 3 and 4, the respondent police has compelled the petitioner to compromise the civil suit, which is pending before the concerned Court and therefore, the learned counsel for the petitioner would state that the petitioner does not wants to pursue the complaint and he would seek his remedy before the Civil Forum in the pending civil suit.

5.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would state that since the petitioner does not want to pursue the complaint, the respondent police will not proceed further in the matter.

6. Recording the said submission made by either side, this Criminal Original Petition is closed.

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 Superintendant of Police,
Kanyakumari District
Nagercoil.



2.The Inspector of Police
Anjugramam Police Station,
Anjugramam
Kanyakumari District.

3.The District Munsif Court,
Nagercoil,
Kanyakumari District.

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

+1 CC to M/s.L. GEOGEF PAUL ANTO, Advocate (SR-21810[F] dated
11/11/2020)

Crl.O.P.[MD]No.12743 of 2020
10.11.2020

ss (CO)
TR(17.12.2020) 3P 6C