



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2021

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Cr1.O.P No.9951 of 2021

Kuppusamy

...Petitioner

Vs.

1. The Superintendent of Police,
Salem District Police,
Salem.

2. The Deputy Superintendent of Police,

Vazhapaadi Range,
Vazhapaadi Post and Taluk,
Salem District.

3. The Inspector of Police,
Vazhapaadi Police Station,
Vazhapaadi Post and Taluk,
Salem District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the third respondent not to harass the petitioner.

For Petitioner : M/s.F.Wellington

For Respondents: Mr.A.Damodharan
Counsel for Government of
Tamil Nadu (Cr1.Side)

O R D E R

This petition has been filed to issue a direction to the third respondent not to harass the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.



3. The learned counsel for the petitioner has submitted that the petitioner is the guardian of the minors Mahalakshmi and Kishore Kumaran, whose parents namely Senthil Kumar and Kalaiselvi had been passed away and the petitioner as grandfather of the minors are taking care of them.

4. The learned counsel for the petitioner further submitted that there is a civil dispute between the minors Mahalakshmi and Kishore Kumaran and their father's brother, for which, O.S.No.69 of 2021 is pending before the Principal Sub-Judge, Salem. The third respondent police without considering the aforesaid facts are harassing the petitioner under the guise of enquiry. Further, he adds that the third respondent has threatened the petitioner not to enter into the lands in Survey Nos.127/2 and 134/10 Kurichi Village, Vazhapaadi Taluk, Vazhapaadi Sub Registration District, Salem East Registration District.

5. The learned counsel for Government of Tamil Nadu (Crl.Side) has submitted that there is no petition pending with the respondents herein and hence the question of calling for enquiry and harassing the petitioner does not arise. Hence, nothing survives for adjudication in this matter.

6. Recording the submission of the learned counsel for Government of Tamil Nadu (Crl.Side), this court directs the third respondent-Police not to get involved in this case, which is a civil dispute.

7. With the above direction, this Criminal Original Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

gv/dna

To

1. The Superintendent of Police,
Salem District Police,
Salem.
2. The Deputy Superintendent of Police,
Vazhapaadi Range,
Vazhapaadi Post and Taluk,
Salem District.



3. The Inspector of Police,
Vazhapaadi Police Station,
Vazhapaadi Post and Taluk,
Salem District.

WEB COPY

4. The Public Prosecutor,
High Court of Madras,
Madras.

Cr1.O.P No.9951 of 2021

UM(CO)
CB(20/07/2021)