



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14373 of 2021

K.Gomathi

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Kallakurichi,
Kallakurichi District.

2. The Sub-Inspector of Police,
Kachirayapalayam Police Station,
Crime No. Unknown of 2021,
Kallakurichi District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent police not to harass the petitioner without due process of law.

For Petitioner : Mr.K.Kathiresan

For Respondents : Mr.A.Damodaran,
Government Advocate (Crl. Side)

ORDER

The petitioner has filed this criminal original petition seeking a direction to the second respondent police not to harass the petitioner.

2.The contention of the learned counsel for the petitioner is that there is a civil suit pending before the concerned civil Court between the petitioner and one Parvathi, the defacto-complainant, who is the adjacent land owner. The complaint has been lodged by Parvathi defacto complainant, against which, the petitioner has also lodged a counter complaint. Hence, it is purely civil in nature.

3.The learned Government Advocate (Crl.side) submits that the defacto complainant viz., Parvathi has lodged a complaint against the petitioner and on her complaint, CSR No.613 of 2021 on 04.08.2021 has been assigned. In connection with the dispute



pending between the petitioner and the defacto - complainant, the presence of the petitioner is required for enquiry.

4. In view of the abovesaid submission, this court finds that there are complaint and counter complaint pending with the respondent police. Therefore, this Court is not inclined to entertain the petition and the petitioner is directed to appear before the respondent police with necessary materials on 25.08.2021 substantiating her complaint and thereafter, the respondent police is directed to enquire and proceed in accordance with law.

5. With the abovesaid direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Deputy Superintendent of Police,
Kallakurichi,
Kallakurichi District.
2. The Sub-Inspector of Police,
Kachirayapalayam Police Station,
Crime No. Unknown of 2021,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Kathiresan, Advocate, S.R.No.41692

CRL.O.P.No.14373 of 2021

KSM(CO)
HS(23/08/2021)