



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.1867 of 2021

Shahul Hameed

...Petitioner

Vs.

- 1.The Superintendant of Police,
Kumbakonam Town,
Thanjavur District.
- 2.The Inspector of Police,
Pattiswaram Police Station, Kumbakonam,
Thanjavur District.
- 3.Kannan
- 4.Balu @ Balasubramaniyan
- 5.Chitravel

...Respondents

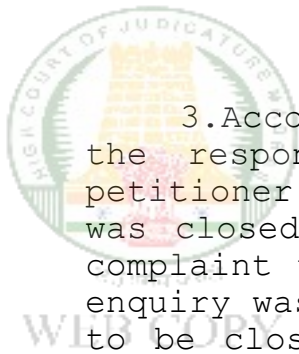
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to restrain the second respondent from interfering in the civil dispute in O.S.No.272 of 2020 pending on the file of the Principal District Munsif, Kumbakonam by passing appropriate orders on the complaint dated 29.12.2020 on merits and in accordance with law.

For Petitioner	:Mr.B.Arun
For R-1 and R-2	:Mr.K.Suyambulinga Bharathi Government Advocate(crl.side)
For R-3	:Mr.G.Vanchinathan

O R D E R

This petition has been filed seeking a direction to the first respondent to restrain the second respondent from interfering in the civil dispute in O.S.No.272 of 2020 pending on the file of the Principal District Munsif, Kumabakonam, by passing appropriate orders on the complaint dated 29.12.2020 on merits in accordance with law.

2.According to the learned counsel for the petitioner, a suit in O.S.No.272 of 2020 was filed by the petitioner before the learned Principal District Munsif, kumabakonam, for injunction against the private respondents herein. An interlocutory application in I.A.No.251 of 2020 was also filed seeking interim injunction and that was also allowed. Therefore, there is no scope for police enquiry into this matter.



3. According to the learned Government Advocate (crl.side) for the respondent police, based upon the complaint given by the petitioner an enquiry was initiated in C.S.R.No.431 of 2021 and it was closed on the ground that it is civil in nature. A similar complaint was given by the third respondent and based on which, an enquiry was initiated in C.S.R. No.435 of 2021 and it was also going to be closed directing the parties to workout their remedy before the civil Court. According to him, nothing survives for further adjudication in the present petition.

4. Recording the submission of the learned Government Advocate (crl.side), this Criminal Original Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

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 Principal District Munsif, Kumbakonam,
Kumbakonam Town, Thanjavur District.
2. The Inspector of Police,
Pattiswaram Police Station, Kumbakonam,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RP (25.05.2021) P 4C