



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :26.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

WEB COPY

Crl.O.P. (MD)No.3121 of 2021

R.Jebaraj

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thuckalay, Kanyakumari District.

2.The Inspector of Police,
Anti Land Grabbing Cell,
Nagercoil, Kanyakumari District.

3.The Sub-Inspector of Police,
Kotticode Police Station,
Kanyakumari District.

4.Shakila Fervin

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent police not to harass the petitioner and not to interfere with the civil dispute between the petitioner and the fourth respondent under the guise of an enquiry.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondents 1 to 3: Mr.A.Robinson

Government Advocate (Criminal side)

ORDER

The present petition is filed by the petitioner seeking for a direction to the respondent Police not to harass the petitioner and not to interfere with the civil dispute between the petitioner and the fourth respondent under the guise of an enquiry.

2.Mr.A.Robinson, learned Government Advocate (Criminal Side), who accepts notice on behalf of the respondents 1 to 3, on instructions, would submit that based on the complaint lodged by the father of the fourth respondent, the second respondent registered a case in Current Petition No. P2/105/2021 and enquiry is pending.

3.Considering the submission of the learned Government Advocate (Criminal side), the Criminal Original Petition is disposed of with a direction to the respondent Police to follow the guidelines issued



in the decision in **D.K.Basu Vs. State of West Bengal** reported in **AIR (1997) SC 610** and **Lalita kumari vs. Government of Uttarpradesh and Others** reported in **AIR 2014 SC 187**.

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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 Deputy Superintendent of Police,
Thuckalay, Kanyakumari District.
- 2.The Inspector of Police,
Anti Land Grabbing Cell,
Nagercoil, Kanyakumari District.
- 3.The Sub-Inspector of Police,
Kotticode Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SGS (CO)
KB(29.03.2021) 2P 5C