



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2021

CORAM :

WEB COPY

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

CrI.OP.(MD)No.4744 of 2021

K.Venkatesan

... Petitioner

vs.

1.The Commissioner of Police,  
Madurai City, Madurai.

2.The Assistant Commissioner,  
Thilagar Thidal Police Station,  
Madurai

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the second respondent not to harass the petitioner and his family members under the guise of an enquiry.

For Petitioner :Mr.K.Muralidharan  
For Respondents :Mr.A.Robinson,  
Government Advocate (Criminal Side)

O R D E R

The present petition is filed by the petitioner under Section 482 of the Code of Criminal Procedure, praying to direct the second respondent not to harass him and his family members under the guise of an enquiry in a Civil dispute and consider the petitioner's representation dated 24.03.2021.

2. The main grievance of the petitioner is that though a Civil Suit in OS.No.57 of 2015 is pending on the file of the Principal District Munsif Court, Madurai, the second respondent is interfering with the same and is also harassing the petitioner.

3. Mr.A.Robinson, learned Government Advocate (Criminal Side) who accepts notice on behalf of the respondents, on instructions, would contend that the complaint lodged by one Sahul Hameed Farook with the second respondent against the present petitioner was registered in C.No.156/PG/DC-Crime/2021 dated 16.03.2021 and posted for enquiry.

4. Recording the submissions made by the learned Government Advocate (Criminal side), the second respondent police is directed to follow the guidelines issued in the decisions in **D.K.Basu Vs. State of West Bengal** reported in **AIR (1997) SC 610** and **Lalitha Kumari Vs. Government of Uttarpradesh** reported in **(2014) 2 SCC 1**.



It is also directed that if the matter in dispute between the petitioner and the said Sahul Hameed Farook is purely civil in nature, the respondent police should not interfere with the same.

5. With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CrI Side)

// True Copy //

/ /2021

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 Commissioner of Police,  
Madurai City, Madurai.
- 2.The Assistant Commissioner,  
Thilagar Thidal Police Station,  
Madurai.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

CrI.OP.(MD)No.4744 of 2021  
29.03.2021

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