



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.5057 of 2021

1.Nishalini
2.Vasantha

... Petitioners

Vs.

1.The Superintendant of Police,
Madurai District,
Madurai-625 007.

2.The Inspector of Police,
Elumalai Police Station,
Madurai District.

3.Pavunthai

4.Subbuthai

... Respondents

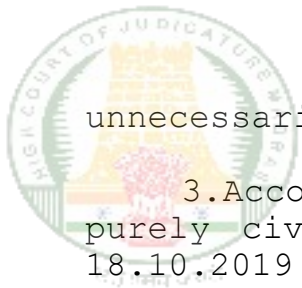
Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent police not to harass the petitioners under the guise of enquiry without due process of law.

For Petitioner	: Mr.S.Mahendrapathy
For R-1 and R-2	: Mr.K.Suyambulinga Bharathi
	Government Advocate (crl.side)

ORDER

The criminal original petition has been filed seeking a direction to the second respondent police not to harass the petitioners under the guise of enquiry.

2.The case of the petitioner is that on 18.10.2019, a sale agreement came to be executed between the first petitioner and one Pavunthai and Subbuthai, who are the respondents 3 and 4. Thereafter, the respondents 3 and 4 failed to execute the sale deed. On frequent demand by the first petitioner, the respondents 3 and 4 refused to return the advance amount and lodged a false complaint before the second respondent police as against the petitioner and her mother, as if they have cheated. Based on the complaint, the second respondent under the guise of enquiry,



unnecessarily harassing the petitioner. Hence, this petition.

3.According to the learned counsel for the petitioner, it is purely civil dispute, which arose out of a sale agreement dated 18.10.2019 and in respect of which, legal notice was also issued.

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4.According to the learned Government Advocate(crl.side) for the respondent police, the petitioners themselves appeared before the Enquiry Officer and given a statement on 29.03.2021 that since it is a civil dispute, they will workout the remedy before the appropriate Civil Court and the same was counter signed by the Inspector of Police,Elumalai Police Station, Madurai District.

5.In view of the above submission, nothing survives for further adjudication in this petition. Accordingly, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS-I)

// 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 Superintendant of Police,
Madurai District,
Madurai-625 007.
- 2.The Inspector of Police,
Elumalai Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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