



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.5406 of 2021

B.Vasanthee

... Petitioner

Vs.

1. The Superintendent of Police,
District Police Office,
TVS Tollgate,
Trichy-20, Trichy District.

2. The Inspector of Police,
Thiruverumbur Police Station,
Thiruverumbur,
Trichy District.

3. C.Lakshmi

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent police not to harass the petitioner at the instigation of the third respondent herein, as well as not to interfere into the civil dispute which is presently pending in between the petitioner and the third respondent, in the light of the petitioner's representation, dated 02.03.2021.

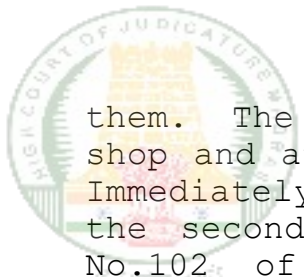
For Petitioner : Mr.R.Sundar

For R1 and R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Criminal side)

ORDER

The present petition is filed seeking a direction to the respondents 1 and 2 not to harass the petitioner under the guise of an enquiry on the basis of the petitioner's representation dated 02.03.2021.

2.The case of the petitioner is that the petitioner is a tenant under the third respondent herein and paid a sum of Rs.2,00,000/- as advance and monthly rent is Rs.7,190/-. She paid the monthly rent regularly. During the month of February 2020, the third respondent herein claimed additional advance from the petitioner herein to the tune of Rs.3,00,000/-. Due to which, there was a dispute between



them. The third respondent and others entered into the petitioner's shop and attacked the petitioner and her son and also her manager. Immediately, thereafter, the petitioner has given a complaint before the second respondent police. Based on which, a case in Crime No.102 of 2020 was registered against the third respondent. Thereafter, the third respondent gave a counter complaint against the petitioner and the same was registered in Crime No.103 of 2020. Thereafter, the third respondent herein filed a suit in O.S.No.136 of 2020 before the III Additional District Munsif, Trichy, against the petitioner seeking an order of permanent injunction, and the same is pending. Pending the above said suit, the third respondent herein filed another suit in O.S.No.397 of 2020 before the I Additional Sub Judge, Trichy, seeking eviction. At the instigation of the third respondent, the second respondent continuously harassed the petitioner. Hence, the petitioner filed anticipatory bail application before this Court in Crl.O.P.(MD)No.4157 of 2021 and the same was closed on 22.03.2021. Therefore, the petitioner gave a representation to the first respondent on 02.03.2021. But there was no action. Hence, the petitioner filed the present petition before this Court.

3.Heard the learned counsel on either side.

4.The learned Government Advocate (Criminal side) for the respondents 1 and 2 would submit that the third respondent, lodged a complaint against the petitioner and the same was registered in C.S.R.No.77 of 2020 and it was closed on 07.03.2021.

5.According to the learned counsel for the petitioner, even though the enquiry has been closed, still the harassment continues.

6.According to the learned Government Advocate (Criminal side), there is no question of harassing the petitioner at the instance of the third respondent, since enquiry was closed.

7.Recording the submissions made by the learned Government Advocate (Criminal side), nothing survives for further adjudication in this case, so, the Criminal Original Petition is closed with the observation that if any trouble in future, she can approach the competent civil Court to workout her remedy.

Sd/-

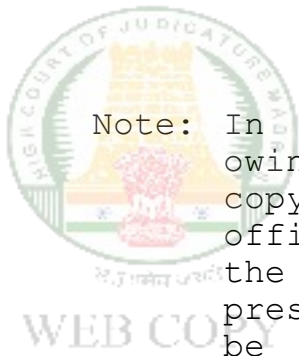
Assistant Registrar (AD-II)

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Sub Assistant Registrar(CS)

sj1



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 Superintendent of Police,
District Police Office,
TVS Tollgate,
Trichy-20, Trichy District.
- 2.The Inspector of Police,
Thiruverumbur Police Station,
Thiruverumbur,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.5406 of 2021

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PSP(12.05.2021) 3P 4C