



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P. (MD) .No. 7613 of 2021

S.P. Muruganantham

...Petitioner

Vs.

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Inspector of Police,
Devakottai Town Police Station,
Sivagangai.
3. Madavi

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the respondents not to harass the petitioner under the guise of enquiry frequently.

For Petitioner: Mr.T. Sugadev

For R-1 & R-2 : Mr.R.M. Anbunidhi
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed by the petitioner herein seeking a relief not to harass the petitioner under the guise of enquiry.

2. The case of the petitioner is that he has purchased a plot in Sivagangai District, Devakottai Town, Ramnagar in Survey No.76 from one Ravichandran on 28.05.2018. On the north side of his plot, one Madavi has purchased a plot. After her purchase, she along with her son Senthil Kumar used to give trouble with intention to grab the path way in the land belongs to the petitioner. On 05.05.2021, Senthilkumar assaulted the petitioner, therefore a case was registered on the basis of the complaint given by the petitioner in Crime No.103 of 2021 under Sections 294(b), 323, 506(ii) of IPC. The petitioner has also filed a caveat petition before the Sub-Court, Devakottai.

3. It appears that on 28.05.2021 the 3rd respondent has lodged a



complaint before the second respondent police. The petitioner has also appeared for enquiry and explained his case. However, the 2nd respondent police repeatedly harassing the petitioner under the guise of enquiry. It seems that this matter is purely a civil dispute.

WEB COPY

4. The learned Additional Public Prosecutor submitted that the 3rd respondent has preferred a complaint on 29.05.2021 against the petitioner and it is pending for enquiry in CSR No.215 of 2021. The basic problem between the 3rd respondent and the petitioner appears to be a pathway dispute. Because of that dispute a criminal case in Crime No.103 of 2021 was registered and it is pending for enquiry in CSR No.215 of 2021. The petitioner has given a representation on 02.06.2021 to the 1st respondent police explaining the details of the pending dispute between the petitioner and the 3rd respondent police.

5. The learned counsel appearing for the petitioner submitted that the petitioner is prepared to co-operate with the enquiry. It is needless to say that the police cannot interfere with the civil dispute. However, they have every to register a case if a cognizable criminal offence is committed and proceed further in accordance with law.

6. The petitioner submitted that he is prepared to co-operate with the enquiry. Therefore, this Court is of the considered view that there is no need to pass any further order.

7. Accordingly, the Criminal Original Petition stands disposed off.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ksa

To

1. The Superintendent of Police,
Sivagangai District,Sivagangai.

2. The Inspector of Police,
Devakottai Town Police Station,Sivagangai.

Crl.O.P. (MD) .No.7613 of 2021
11.06.2021