



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.06.2021

CORAM

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

CRL.O.P(MD) .No.7958 of 2021

WEB COPY

Prasath

... Petitioner

Vs.

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

2.The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.

3.Periyamuthusamy

4.Senthilkumar

... Respondents

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

For Petitioner

: Mr.S.C.Herold Singh

For R1 & R2

: Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner under the guise of enquiry.

2. The case of the petitioner is that there is a purely civil dispute between him and the respondent Nos.3 and 4. Based on the false complaint given by the third and fourth respondent, the second respondent is continuously harassing the petitioner. Hence, the present petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

4. The learned counsel appearing for the petitioner would submit that the petitioner inherited properties from his ancestors and the said properties are not portioned. For the development of the joint family properties, the petitioner borrowed a sum of Rs.14,00,000/- from various persons after getting permission from his grand father namely Periyasamy and Junior father namely Senthil



Kumar and the said amount has been utilized for the purpose of developing the property and agricultural purposes. Based on the false complaint given by the third and fourth respondents, the second respondent herein is pressurizing the petitioner to execute a release deed over the property for the amount that has been utilized for the purpose of developing the property.

5. The learned Additional Public Prosecutor would submit that on 10.04.2021, the grand father of the petitioner gave a complaint which is registered in C.S.R.No.182 of 2021 on the ground that he was assaulted by the petitioner herein. Further, it appears that it is a dispute between the grandfather and grandson. Therefore, the question of harassment in such circumstances may not arise.

6. But, however, the learned counsel appearing for the petitioner would submit that the second respondent need not pressurize the petitioner to execute the release deed. It is not the duty of the second respondent also. Therefore, he may not do that.

7. Recording the submission made by the learned Additional Public Prosecutor, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

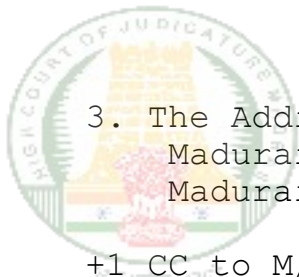
Sub Assistant Registrar(CS)

ssb

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,
Dindigul,
Dindigul District.
- 2.The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.



3. The Additional Public prosecutor,
Madurai Bench of Madras High Court,
Madurai

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-19816[F] dated
22/06/2021)

CRL.O.P (MD) .No.7958 of 2021
18.06.2021

KB (29.06.2021) 3P 5C