



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Cr1.O.P. (MD) No.8094 of 2021

(Through Video Conference)

1. Rasu
2. Karuppiah
3. Mokkaurai
4. S.Nagarajan
5. S.Pandi

... Petitioners

Vs.

- 1.The Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Usilampatti Division,
Madurai District.
- 3.The Inspector of Police,
Sekkanurani Police Station,
Madurai District.
4. A.Rajendran
5. B.Nagarajan,

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent not to interfere with the Civil dispute between the petitioners and respondent No.4 and 5.

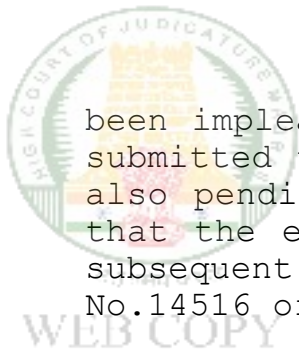
For Petitioners : Mr.R.Gowrishankar

For R1 to R3 : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Criminal side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the second respondent, not to interfere with the civil dispute between the petitioner and the respondents 4 and 5.

2. Learned counsel for the petitioner would submit that a civil dispute is pending between the petitioner and the private respondents 4 and 5 herein in respect of which, O.S.No.174 of 2003 was also filed, wherein the father of the fourth respondent herein has been arrayed as defendant. The learned counsel for the petitioner would submit that after the death of Amavasai, an impleading petition has been filed and the fourth respondent has



been impleaded as the Legal Heir of the deceased Ammavasai. He also submitted that patta proceedings has been initiated and the same is also pending before the Revenue Divisional Officer. But it is seen that the enquiry has been conducted by the third respondent herein subsequent to the order passed in Crl.O.P. (MD) No.14516 of 2020 dated 11.03.2021.

3. A writ petition has been filed by the fourth respondent herein seeking for police protection and a direction has also been issued to the third respondent herein to conduct proper enquiry by summoning all the persons concerned and pass orders in accordance with law. Only in pursuance of that, it is seen that the third respondent has undertaken the enquiry. It is the duty of the petitioner to appear before the Investigation Officer and hence, cooperate for the enquiry.

4. Learned Additional Public Prosecutor (Criminal Side) submitted that even though the parties appeared, the petitioner has not produced the relevant documents and only for that purpose, summons has been issued. Learned counsel for the petitioner would submit that the document has been produced before the Investigation Officer.

5. These are the disputed facts that have to be taken into consideration by the second respondent herein, When the second respondent is undertaking an enquiry as per the order of this Court, the question of harassment will not arise and no direction, as referred by the petitioner in this petition, can be granted at this stage. Only after the result of the enquiry, if any grievance is experienced by the petitioner, he can work out the same by appropriate proceedings, till then, the request made by the petitioner cannot be considered. With this liberty and direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS II)

// 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 Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Usilampatti Division, Madurai District.
- 3.The Inspector of Police,
Sekkanurani Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P. (MD) No.8094 of 2021

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KK(30.06.2021) 3P 5C