



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**
Crl.O.P. (MD)No.9595 of 2021

WEB COPY

A.Pramod Sankar

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Sivakasi Town Police Station,
Sivakasi,
Virudhunagar District.

3.Anandharaja

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first and second respondents not to harass the petitioner in the guise of enquiry at the instance of the third respondent.

For Petitioner	: Mr.G.Mariappan
For R-1 & R-2	: Mr.R.M.Anbunidhi Additional Public Prosecutor
For R3	: M/s.Lakshmi Gopinathan for M/s Polax Legal Solutions

O R D E R

This petition has been filed seeking a direction to the first and second respondents not to harass the petitioner under the guise of enquiry on the basis of the complaint given by the third respondent.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor submits that based upon the complaint given by the third respondent herein, enquiry was undertaken on 18.11.2020 and during the course of enquiry, it is seen that it is purely a civil dispute between the parties and they are advised to approach the civil court for appropriate remedy.



3. The learned counsel for the petitioner submits that since the complaint has been closed, the same may be recorded and proper orders may be passed.

4. The learned counsel for the third respondent would submit that the petitioner, by taking advantage of the fact that a civil suit is pending, trespassed into a portion of the property and hence, the complaint has been given. But without recording the statement of the petitioner as well as the third respondent, it came to be closed at the influence made by the petitioner.

5. If the third respondent is aggrieved by the outcome of the enquiry, he has to work out his remedy before the appropriate forum by taking appropriate proceedings and the request for re-ordering the enquiry may not be possible in this petition.

6. Since enquiry has been closed, nothing survives for adjudication in this petition. But however, liberty is granted to the third respondent to work out his remedy appropriately.

7. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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,
Virudhunagar District,
Virudhunagar.

2.The Sub Inspector of Police,
Sivakasi Town Police Station,
Sivakasi,
Virudhunagar District.



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

WEB COPY

+1 CC to M/s.M/S.POLAX LEGAL SOLUTIONS, Advocate (SR-24293[F] dated
29/07/2021)

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28. 07.2021

CM (ASO)

TR(06.08.2021) 3P 5C