



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2021

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGOVAN

Crl.O.P. (MD) .No.14043 of 2021

1.V.Pandian
2.V.Durai
3.R.Ramadas

... Petitioners

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Theni, Theni District.

2.The Sub Inspector of Police,
Devathanapatti Police Station,
Devathanapatti,
Periyakulam Taluk,
Theni District.

... Respondents

3.Mr.K.Marimuthu

... 3rd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to pass an order directing the respondents not to harass and not to interfere in the personal liberty of the petitioners and their legal heirs under the guise of enquiry.

For Petitioner : Mr.M.A.M.Raja

For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Crl. side)

ORDER

(This petition is heard through video conference)

This petition has been filed seeking direction to the respondents not to harass and not to interfere in the personal liberty of the petitioners and their legal heirs under the guise of enquiry.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that based upon the complaint given by one Jothi Subramanian, Sub Inspector of Police, a case in Crime No.197 of 2021 has been registered under Section 145 Cr.P.C. and proceedings has been initiated by the Revenue Divisional Officer, Periyakulam and now it is pending.



3.Since the proceedings has been initiated by the Revenue Divisional Officer, there is no harassment at the hands of respondent police

4.However, the learned counsel for the petitioner submitted that even though the proceedings has been initiated, it has been specifically stated that the complainant is in possession of the property, but the petitioner is only in possession of the property.

5.Who is in possession of the property cannot be decided in this matter. Let the petitioner appear before the Revenue Divisional Officer and co-operate with him to complete the enquiry. Depending upon the outcome of the enquiry, he can sort out his relief or he has to challenge the same.

6.With the above liberty, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
O/o. The Superintendent of Police,
Theni, Theni District.

2.The Sub Inspector of Police,
Devathanapatti Police Station,
Devathanapatti,
Periyakulam Taluk,
Theni District.

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

Crl.O.P. (MD) .No.14043 of 2021
22.09.2021