



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2021

CORAM :

THE HONOURABLE **Mr.JUSTICE G.ILANGOVAN**

Crl.O.P. (MD) No.13593 of 2021

1.K.Ganesan

2.Rajam

... Petitioners

Vs

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Tallakulam Police Station,
Madurai City.

3.S.Rajangam

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent police herein not to harass the petitioners under the guise of enquiry and not to interfere the civil dispute between the parties.

For Petitioner : Mr.J.Jeyakumaran
Advocate.

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate

O R D E R

This petition has been filed to direct the second respondent police herein not to harass the petitioners under the guise of enquiry and not to interfere the civil dispute between the parties.

2.The case of the prosecution is that the second petitioner entered into the sale agreement with the third respondent in respect of the property situated in Re-Survey No.9/1 to an extent of two cents and 196 Sq.ft., situated at Aathikulam Village, Madurai District and the third respondent paid a sum of Rs.5,00,000/- as advance and agreed to pay the balance amount within a period of three months, but, he failed to pay the balance amount. Hence, the second petitioner sold the property to third party. On knowing about the sale, the third respondent gave a complaint against these petitioners. Based on which, the second respondent police is continuously harassing the petitioners.

3.The learned Government Advocate would submit that based on the complaint given by the third respondent, enquiry was undertaken



in C.S.R.No.743 of 2021.

4.On reading of the complaint, shows it is alleged that the petitioners failed to execute the sale deed in favour of the third respondent, based on the agreement. Since it is a civil dispute between the petitioners and the third respondent herein, the second respondent may not have any role to play. So, the complaint enquiry may be closed by advising the parties to work out their remedy before the Civil Court.

5.With these directions, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
Tallakulam Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.13593 of 2021
Date : 16.09.2021

RS (24.09.2021) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>