



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD) No.13778 of 2021

WEB COPY

1.Pandi Selvam

2.Sethuramu

3.Sangilipandi

... Petitioners

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Silaiman Police Station,
Madurai District.

3.The Sub Inspector of Police,
Silaiman Police Station,
Madurai District.

4.Annadurai

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent police not to harass the petitioners and his family members under the guise of enquiry and not to interfere with the property rights, civil dispute of the petitioners.

For Petitioners : Mr.S.A.Ajmal Khan

For R1 to R3 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This petition is filed seeking direction to the respondent police not to harass the petitioners and his family members under the guise of enquiry, on the basis of the representation dated 13.09.2021.

2.The learned counsel appearing for the petitioners would submit that the petitioners' aunt, by name, Pandiyammal and her husband, namely, Velautham created a fraudulent partition deed and



on the basis of the same, sold the property to one Andikonar, S/o.Muthu and Annadurai, who is the 4th respondent herein.

3.It appears that the 4th respondent has given a complaint against this petitioners, based upon which, enquiry has been undertaken.

4.The learned Government Advocate (Crl.side) appearing for the respondents 1 to 3 would submit that based upon the complaint given by Pandiselvam, Sethuramu and Sangilipandi, enquiry was undertaken against this petitioners. Similarly, the counter party has also given a complaint against this petitioners and both of them were enquired and during the course of enquiry, it was found that it is a land dispute between the parties. So, the parties were referred to to resolve their dispute through proper civil proceedings. With regard to the allegation of abusing in filthy language and criminal intimidation, now the enquiry is pending.

5.Since there is an allegation against this petitioners to the effect that they abused their aunt, by name, Pandiammal in filthy language and criminally intimidated, let the 2nd respondent may enquire that portion of the compliant only and for that purpose, the petitioner may appear before the 2nd respondent and co-operate with him for completing the enquiry. Since enquiry has been undertaken only to the limited extend noted above, the question of harassment may not arise. Depending upon the outcome of the enquiry with regard to the aforesaid specific allegation, the petitioner may workout his remedy through appropriate proceedings.

6.With the aforesaid direction and liberty, this petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// 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 Inspector of Police,
Silaiman Police Station,
Madurai District.
- 3.The Sub Inspector of Police,
Silaiman Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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_RD(27.09.2021) 3P 5C