



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD) No.14670 of 2021

Kadar Masthan

... Petitioner

Vs.

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

2.The State represented by
Inspector of Police,
Anti-Land Grabbing Special cell
Office at District Police Office
Tirunelveli District.

3.Marimuthu

4.E.Thirumalai

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1st and 2nd respondents herein not to interfere the civil dispute under guise of the enquiry without following the procedure established by law.

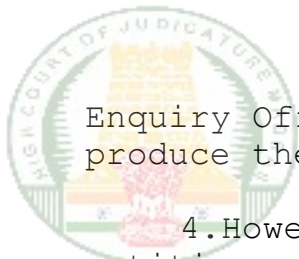
For Petitioner : Mr.A.Muralikumar
For R1 & R2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the respondents 1 and 2 not to interfere in the civil dispute, on the basis of the complaint given by the 3rd respondent herein.

2.The learned counsel appearing for the petitioner would submit that in respect of the land dispute, the 3rd respondent appears to have given a complaint against this petitioner and the 4th respondent under the guise of making an enquiry is continuously harassing the petitioner and collecting documents from him for the purpose of handing over the same to the 3rd respondent herein. According to the counsel for the petitioner, it is not a manner for enquiring the 4th respondent.

3.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the 3rd respondent has given a complaint to the effect that this petitioner forged the signature of the 3rd respondent's wife and created forged documents, based upon which, enquiry was undertaken and the petitioner appeared before the



Enquiry Officer on 24.08.2021 and 26.08.2021 and later, undertook to produce the documents, which are available with him.

4.However, without appearing before the Enquiry Officer, the petitioner approached this Court. Since the allegation of forgery and impersonation has been made, the petitioner has to appear before the Enquiry Officer and cooperate with him for completing the enquiry. So, the question of harassment may not arise.

5.Considering the age of the petitioner, the Enquiry Officer may give proper and sufficient time to the petitioner to appear for the enquiry. The petitioner may also get assistance from his relatives. Except that, no other direction can be issued by this Court. If any trouble arises in future in respect of the aforesaid enquiry, the petitioner is at liberty to workout his remedy appropriately through appropriate proceedings.

6.With the aforesaid liberty and direction, 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,
Tirunelveli District
Tirunelveli.
- 2.The Inspector of Police,
Anti-Land Grabbing Special cell
Office at District Police Office
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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GC(12.10.2021) 2P 4C

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