



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**  
**Crl.O.P. (MD) No.14674 of 2021**

WEB COPY

C.Maxline Silva

... Petitioner

Vs.

1. The Inspector of Police,  
S.S.Colony Police Station,  
Madurai.

...1<sup>st</sup> Respondent/Complainant

2. C.Rosiline Silva

3. Pitchaiah Fernando

... Respondents

**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2<sup>nd</sup> respondent to not to harass the petitioner on the guise of enquiry in the Civil matter.

For Petitioner

: Mr.K.Murugan

For R1

: Mr.R.M.S.Sethuraman

Additional Public Prosecutor

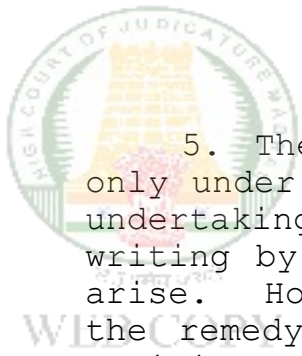
### ORDER

This petition has been filed to direct the second respondent, not to harass the petitioner under the guise of enquiry, on the basis of the complaint given by the third respondent herein.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Criminal Side) for the first respondent.

3. The learned counsel for the petitioner would submit that the petitioner and the second respondent are sisters and the third respondent herein is the husband of the second respondent herein. Over the land dispute, on the guise of enquiry, the first respondent pressurised the petitioner to vacate the premises and to hand over the premises to the second respondent. So, on that ground, this petition came to be filed.

4. The learned Additional Public Prosecutor would submit that only the petitioner gave a complaint stating that the second respondent is trying to trespass into the property and tried to have the occupation of the house. During the course of enquiry, the petitioner gave an undertaking to the effect that he will vacate the premises and to hand over the possession within a week. Based upon the evidence, the complaint has been closed.



5. The learned counsel for the petitioner would submit that only under the pressure that undertaking has been given. But, such undertaking has not been given. The undertaking is in the own hand writing by the petitioner. So, the question of harassment may not arise. However, liberty is granted to the petitioner to work out the remedy through proper proceedings. I find no merit in this petition.

6. According, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

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 Inspector of Police,  
S.S.Colony Police Station,  
Madurai.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.K.MURUGAN, Advocate ( SR-31069[F] dated 04/10/2021 )

CrI.O.P.(MD)No.14674 of 2021  
30.09.2021

NSN(CO)  
KB(22.10.2021) 2P 4C