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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2021

CORAM :

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

Crl.O.P.(MD)No.14892 of 2021

1.P.Periya Karuppaiah
2.Rajaram ... Petitioners

Vs.

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

2.The Inspector of Police,
M.Pudupatty Police Station,
Virudhunagar District.

3.Muthalagu
4.Malayalam
5.Chellasamy @ Rajendran ...Respondents.

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the second respondent not to interfere in the civil dispute between the petitioners and the respondents 4 & 5, which is the subject matter of the suit in O.S.No.105 of 2021, on the file of the Sub Court, Virudhunagar, under the guise of the enquiry initiated on the false complaint of the respondents 3 to 5.

For Petitioner : Mr.T.Lenin Kumar
For R1 & R2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This petition is filed seeking direction not to harass the petitioner on the basis of the complaint given by the private respondents herein.

2.When the matter is taken up for hearing, the learned counsel appearing for the petitioner would submit that the petitioners, fourth respondent and three others are the children of the second wife of one Periyakaruppathevar and the fifth respondents is born to the first wife of the said Periyakaruppathevar. It appears that in respect of the property dispute, O.S.No.105 of 2021

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was filed by the respondents 4 & 5, which is pending before the Sub Court, Virudhunagar.

3.The learned Additional Public Prosecutor would submit that based upon the complaint given by the private respondents, enquiry was undertaken in CSR No.129 of 2021 and summons was issued on 26.09.2021 and 27.09.2021.

4.Recording the submission made by the learned Additional Public Prosecutor that since the dispute is purely civil in nature among the co-sharers, there shall be a direction to the second respondent to close the enquiry by advising the parties suitably to approach the concerned civil Court to get redressed their grievance.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 Sub Judge,
Sub Court, Virudhunagar

2.The Superintendent of Police,
Virudhunagar District, Virudhunagar.

3.The Inspector of Police,
M.Pudupatty Police Station,Virudhunagar District.

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

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