



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.18837 of 2021

S.Maruthupandian

... Petitioner

Vs

1.State rep. by
The Superintendent of Police,
O/o. Superintendent of Police,
Theni District.

2.The Inspector of Police,
Town Police Station,
Theni,
Theni District.

3.N.Vasanthan

4.Karuppiah

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent and their officials not to interfere with the civil dispute pending between the petitioner and the third respondent and not to harass the petitioner in the guise of enquiry.

For Petitioners : Mr.G.Karuppasamy Pandiyan
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate

ORDER

The petitioner alleges harassment at the hands of the second respondent. To forbear the second respondent from doing so, this Criminal Original Petition has been filed.

2. When the matter was taken up for hearing, the learned Government Advocate submitted that the third respondent has given a complaint against the petitioner and that the same is pending.

3. I called upon the learned Government Advocate to pass on the copy of the complaint given by the third respondent. I went through the contents of the said complaint. It is seen therefrom that the third respondent had let out his shop in favour of the petitioner and that tenancy period had expired in October 2021 itself. Since the petitioner has not vacated the shop, the third respondent wants the second respondent to use his good offices and secure the shop. It is obvious that the dispute between the petitioner and the third respondent is purely civil in nature. The second respondent ought to have relegated the third respondent when he gave a complaint to



move the jurisdictional Court. The second respondent ought not to entertain the complaint at all. The second respondent is restrained from interfering with the dispute between the petitioner and the third respondent.

4. This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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,
O/o. Superintendent of Police,
Theni District.
- 2.The Inspector of Police,
Town Police Station,
Theni,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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