



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.19900 of 2021

WEB COPY

1.Vempiah

Power of Attorney of
Sudalai Vadivoo
Petchiammal

2. Selvanayaki

... Petitioners

Vs.

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

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
Tirunelveli.

3.S.Mahboob Badhusha

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to harass the petitioners and not to interfere in the civil dispute which is relating to the lands in Survey No.64/1B1A to an extent of 8 acres 85½ cents out of 11 acres 40 cents situated at Melappalayam Village, Tirunelveli District, Now Melapalayam Ward, AR Block 8, T.S.No.4 to 98, Tirunelveli Corporation.

For Petitioners

: Mr.T.Selvan

For R-1 & R-2

: Mr.M.Sakthi Kumar,
Government Advocate.

* * *

O R D E R

The petitioners allege harassment at the hands of the respondent police. To forbear them from doing so, this criminal original petition has been filed.

2.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the third respondent has given a complaint against the petitioners and that is presently pending enquiry.



3. In these circumstances, the following directions are issued:-

(i) The petitioners will be summoned only by way of written summon. There is no question of orally summoning the petitioners.

(ii) The second respondent will conclude the enquiry on merits and in accordance with law within a period of two weeks after the appearance of the petitioners.

(iii) If the matter is purely civil in nature, the second respondent will close the complaint.

(iv) If cognizable offence is made out and if the second respondent proposes to register any FIR, the petitioners will be given due notice. So that the petitioners will have breathing time to move the concerned Court for the relief of anticipatory bail.

4. The criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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,
Tirunelveli.

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

Crl.O.P. (MD) No.19900 of 2021

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NA (CO)

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