



Crl.O.P. No.25788 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P No.25788 of 2022

S.M.Dhamodaran

... Petitioner

Vs.

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

2. The Inspector of Police ,
R.K.Pet Police Station,
Thiruvallur District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents not to harass the petitioner to settle the civil dispute related to the lease agreement dated 06.12.2021 executed between the petitioner and A.J.Suresh.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.S.Santhosh,
Government Advocate (Crl.Side)



Crl.O.P. No.25788 of 2022

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ORDER

This Criminal Original Petition has been filed to direct the respondents not to harass the petitioner to settle the civil dispute related to the lease agreement dated 06.12.2021 executed between the petitioner and A.J.Suresh.

2. The learned counsel for the petitioner submitted that the petitioner is a lessee under one A.J.Suresh, vide lease agreement dated 06.12.2021 and the lease period is existing till 05.12.2023. He further submitted that, one S.V.Barathy, who purchased the property from the above A.J.Suresh, gave a complaint against the petitioner and the dispute between the parties is purely civil in nature, however, under the pretext of enquiry, the respondent police is harassing the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that the complaint given by one S.V.Barathy against the petitioner was assigned as CSR No.1143/2022 and is pending for



CrI.O.P. No.25788 of 2022

enquiry on the file of the second respondent.

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4. In such circumstances, the second respondent is directed to issue appropriate notice under Section 41-A of Cr.P.C to both the parties for enquiry and on such notice, both the parties shall appear for enquiry and co-operate with the investigation. During the course of investigation, if it is found to be a civil dispute, the respondent police shall relegate the parties to the Civil Court. Such exercise shall be completed within two weeks from the date of receipt of a copy of this order.

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

26.10.2022

Index: Yes/No
mst

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District.
2. The Inspector of Police ,
R.K.Pet Police Station,
Thiruvallur District.
3. The Public Prosecutor,

3/5



Madras High Court.

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Crl.O.P. No.25788 of 2022



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Crl.O.P. No.25788 of 2022

V.SIVAGNANAM, J.

mst

CRL.O.P No.25788 of 2022

26.10.2022