



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.1027 of 2022

WEB COPY

1.T.R.Dhinakaran

2.D.Nirmala

3.D.Kothai

... Petitioners

vs.

1.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, Madurai.

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

3.The Deputy Superintendent of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.

4.The Inspector of Police,
Town Police Station,
Aruppukottai.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents not to interfere in the civil dispute involving the petitioners family in the matter of enforcement of arbitration award dated 23.02.1996 and to direct the respondents not to harass the petitioners.

For Petitioners : Mr.I.Irulappan

For Respondents : Mr.M.Sakthi Kumar

Government Advocate (Crl.)

O R D E R

Heard the learned counsel appearing for the petitioners and the learned Government Advocate (crl.side) appearing for the respondents.

2. The petitioners allege that the respondent police are interfering in the civil dispute involving their family. In order to

<https://hcservices.ecourts.gov.in/hcservices/>



forbear the respondents from doing so, this Criminal Original Petition has been filed.

3. When the matter was taken up for hearing, the learned Government Advocate (Crl.side) submitted that earlier cases were registered against the petitioners and that the petitioners obtained relief by moving this Court and that as on date, no cases or petitions are pending against the petitioners.

4. However, the learned counsel appearing for the petitioners insisted that the petitioners have reliable information that as many as six fresh complaints have been received against them and that the respondent police are intending to register fresh cases and are also threatening the petitioners with arrest in those cases.

5. The apprehension expressed by the petitioners cannot be said to be without any foundation. In the typed set of papers, copies of as many as four FIRs have been enclosed. It is true that the petitioners were able to secure the relief vide order dated 10.12.2021 in Crl.O.P.(MD)No.14601 of 2021. But then, in order to allay the apprehension expressed by the petitioners, the following directions are passed:-

"(a) If the respondent police receive complaints against the petitioners, they will issue written summons to the petitioners for causing their appearance before them for enquiry. There is no question of orally summoning the petitioners to the police station.

(b) The respondent police will conclude the enquiry within a period of two weeks after such appearance.

(c) If at the end of the enquiry, it is concluded that cognizable offence is made out and it is proposed to register any FIR, the petitioners will be given notice of the same so that the petitioners will have breathing time to move the concerned Court for the relief of anticipatory bail.

(d) If the case is purely civil in nature, the complaint has to be closed."

6. This Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)



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 General of Police,
Office of the Inspector General of Police,
South Zone,
Madurai.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.
- 3.The Deputy Superintendent of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.
- 4.The Inspector of Police,
Town Police Station,
Aruppukottai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.1027 of 2022
20.01.2022

MGJ(02.02.2022) 3P 6C