



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.2429 of 2022

WEB COPY

Vellaiyan

... Petitioner

vs.

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

2.The Inspector of Police,
Prevention of Land Grabbing,
Special Cell, Madurai District,
Madurai.

3.L.Azhagan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent police not to interfere with the civil dispute pertaining to the property in S.No.353/2 (1.19 acres), 353/5 (30 cents), 353/6 (27 cents) situated at Kallanthiri Village, II Bit, Madurai North by threatening the petitioner to settle the matter with the third respondent under the guise of enquiry.

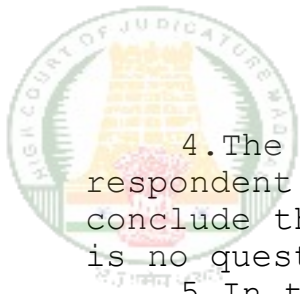
For Petitioner	: Mr.T.Antony Arulraj
For R1 and R2	: Mr.M.Sakthi Kumar
	Government Advocate (Crl. side)

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents 1 and 2.

2.The petitioner alleges harassment at the hands of the respondent police. To forbear them 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 a complaint has been received against the petitioner and that summon was issued calling him for the enquiry. The petitioner had failed to appear and therefore, anticipating some consequences may follow, this petition has been filed .



4.The petitioner undertakes to appear before the second respondent on 11.02.2022 at 11.00 a.m. The second respondent shall conclude the enquiry within a period of two weeks thereafter. There is no question of orally summoning the petitioner hereafter.

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

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

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

6.The Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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,
Madurai District, Madurai.

2.The Inspector of Police,
Prevention of Land Grabbing,
Special Cell, Madurai District,
Madurai.

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

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-4164[F] dated 04/02/2022)

Crl.O.P. (MD)No.2429 of 2022
04.02.2022