



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10712 of 2022

WEB COPY

Muthuraman

... Petitioner

Vs

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

2. The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

3. Selvam

4. Muthumurugan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the second respondent not to harass the petitioner and his family members based on the enquiry.

For Petitioner : Mr.R.Manoharan

For Respondents : Mr.A.Albert James,

1 and 2

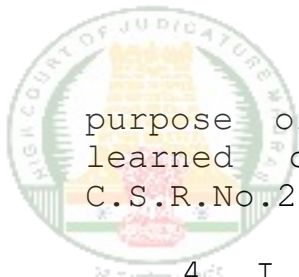
Government Advocate (Crl.Side)

O R D E R

This Petition has been filed to direct the second respondent not to harass the petitioner and his family members based on the enquiry.

2. The learned counsel for the petitioner submitted that the petitioner's wife is the owner of the disputed property. The respondents 3 and 4 have approached the Tahsildar, Madurai East Taluk and got patta in their names. Thereafter, the petitioner filed a revision before the Revenue Divisional Officer, Melur and the same was taken on file. In the mean time, the respondents 3 and 4 were approached the second respondent to vacate the premises. The second respondent, without following due process of law, harassed the petitioner and his family members.

3.The learned Government Advocate(Crl.side) submitted that based upon the complaint given by the third respondent against the petitioner that the petitioner has trespassed into the property of the third and fourth respondents and demolished the bath room. The enquiry has been conducted in C.S.R.No.208 of 2022 by the second respondent and the petitioner was called only for the



purpose of enquiry. No other harassment as contended by the learned counsel for the petitioner. The investigation in C.S.R.No.208 of 2022 is going on.

4. I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondent police.

5. On perusal of records, it shows that the second respondent police has received the complaint against the petitioner that the petitioner has trespassed into the property of the defacto complainant and demolished the bath room, for which the second respondent police conducted the enquiry in C.S.R.No.208 of 2022 and the same is pending.

6. Considering the facts and the circumstances of this case, the second respondent is directed to conduct an enquiry by following the procedure as contemplated under the Civil Procedure Code and take suitable action within a period of two months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (C.O.)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

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To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R. MANOHARAN, Advocate (SR-26298[F] dated 17/06/2022)

ORDER IN

CRL.O.P (MD) No.10712 of 2022

16.06.2022