



Crl.O.P.(MD) No.16939 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.16939 of 2022

1.V.Aparna Devi

2.P.Vijayakumar

...Petitioners

VS

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

2.The Deputy Superintendent of Police,
Sivakasi Sub Division,
Virudhunagar District.

3.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.

4.V.Senthil Raja

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Respondents 2 and 3 not to interfere in the civil dispute, which is the subject matter of O.S.No.93 of 2022 and O.S.SR.No. 222 of 2022 on the file of the learned District Munsif, Sivakasi.



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For Petitioner : Mr.T.Lenin Kumar

For R1 to R3 : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the Respondents 2 and 3 not to interfere in the civil dispute, which is the subject matter of O.S.No.93 of 2022 and O.S.SR.No.222 of 2022 on the file of the learned District Munsif, Sivakasi.

2.It is the submission of the learned Counsel for the Petitioners that the suits in O.S.No.93 of 2021 and O.S.SR.No.222 of 2022 are pending on the file of the learned District Munsif, Sivakasi regarding the civil dispute between the Petitioner and the fourth Respondent.

3.The learned Counsel for the fourth Respondent submits that the fourth Respondent has to be heard regarding the contention that whether the suit was filed after registering the complaint.



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4. When the suit is pending, the fourth Respondent as well as the Petitioner can sort out the dispute before the Civil Court concerned, which is competent to hold trial regarding the allegations that whether the Will was genuine, *bona fide* or fraudulent Will and whether the settlement deed executed by the first Petitioner in favour of the second Petitioner is valid as per law. These are not the issues to be decided by the Respondents 1 to 3 herein.

5. In the light of the above, this Petition is allowed. The Respondents 1 to 3 are directed not to cause harassment to the Petitioners.

Internet: Yes./No

23.09.2022

Index: Yes/No

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To

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

2. The Deputy Superintendent of Police,
Sivakasi Sub Division,
Virudhunagar District.

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- 3.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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