



WEB COPY



Crl.O.P.No.22814 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22814 of 2023

1.R.Latha Kumari
2.S.Sankara Vadivel

... Petitioners

Vs.

1.The Deputy Commissioner of Policce,
Avadi Range, Chennai-600 055.

2.The Inspector of Police,
T.14, Mangadu Police Station,
Mangadu, Chennai-600 122.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the ^{2nd} respondent herein not to harass the petitioners in any manner since it is purely civil nature dispute except by due process of law pursuant to the representation.

For Petitioners : Mr.P.K.Murali

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

ORDER

The complaint has been given against the petitioners alleging that the land of the defacto complainant been dishonestly encroached. However, the



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petitioners submit that they are lawful owner and purchased with due consideration and put up construction. Therefore, a civil dispute now been attempted to be converted into criminal dispute.

2. The learned Government Advocate (Crl.Side) for the State submits that based on the complaint, enquiry has to be conducted. If the petitioners participated in the enquiry and satisfy that it is only a civil dispute, the police shall advise them accordingly and not interfere with the civil dispute.

3. Recording the same, this Criminal Original Petition is disposed of with a direction to the petitioners to appear before the respondent police on summons and participate in the enquiry. The respondent police after hearing shall not proceed if no cognizable offence is made out.

12.10.2023

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To

1.The Deputy Commissioner of Police,
Avadi Range, Chennai-600 055.



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2.The Inspector of Police,
T.14, Mangadu Police Station,
Mangadu, Chennai-600 122.

3.The Public Prosecutor,
High Court of Madras,
Chennai-109.



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Dr.G.JAYACHANDRAN,J.

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