



Crl.O.P.(MD)No.2947 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2947 of 2023

Ramkumar

: Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
South Gate Police Station,
Madurai City.

3.Vasudevan

: Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent herein not to harass the petitioner on the guise of enquiry and for other reliefs on the basis of the petitioner's complaint, dated 11.02.2023.

For Petitioner : Mr.B.Arun

For R1 and R2 : Mr.SS.Madhavan,
Government Advocate (Criminal Side)



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ORDER

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This Criminal Original Petition filed, under Section 482 Cr.P.C., seeking orders, to direct the second respondent herein not to harass the petitioner on the guise of enquiry and for other reliefs on the basis of the petitioner's complaint, dated 11.02.2023.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the State would submit that on the basis of the complaint given by the third respondent, FIR came to be registered in Crime No.209 of 2022 for the offence under Sections 294(b), 323 and 506(i) IPC against the petitioner and that the investigation is pending. He would further submit that subsequently, the third respondent has given another complaint alleging that the articles are in the shop and that the key is with the petitioner.

3. But the learned counsel for the petitioner would submit that the third respondent has already vacated the premises and now in the possession of new tenant.



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4. Since there existed tenancy dispute between the petitioner and the third respondent, the second respondent is directed to conduct enquiry and take suitable action by following the dictum laid down in the case of ***Lalita Kumari Vs. Government of Uttar Pradesh and Others*** reported in (2014) 2 ***SCC 1*** and pass orders in accordance with law.

5. With the above direction, this Criminal Original Petition stands disposed of.

15.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Inspector of Police,
South Gate Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.2947 of 2023

Dated: 15.02.2023