



Crl.O.P.(MD)No.3886 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.3886 of 2023

Sudali

... Petitioner

Vs.

1.The Superintend of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Naaraikinaru Police Station,
Thoothukudi District.

3.Murugan,
The Sub-Inspector of Police,
Naaraikinaru Police Station,
Thoothukudi District.

4.Govindaraj

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Respondents 2 & 3 not to interfere in the civil matter in respect of suit in O.S.No.58 of 2022 on the file of District Munsif Cum Judicial Magistrate, Ottapidaram.

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

ORDER

This petition has been filed seeking direction to the Respondents 2 & 3 not to interfere in the civil matter in respect of suit in O.S.No.58 of 2022 on the file of District Munsif Cum Judicial Magistrate, Ottapidaram.

2. The learned counsel for the petitioner submitted that without getting proper permission from the petitioner, the third respondent laid high tension tower in the petitioner's property. Therefore, the petitioner has filed the suit in O.S.No.58 of 2022 on the file of the District Munsif, Cum Judicial Magistrate, Ottapidaram and the same is still pending. I.A.No.1 of 2022 was filed seeking interim injunction and the same is also pending. While pending the above said suit, the second respondent pressing the petitioner not to enter into the property.

3. The learned Government Advocate(Crl.Side) appearing for the respondent police submitted that based upon the complaint given by the



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petitioner as well as the fourth respondent herein, enquiry was undertaken. During the course of enquiry, it was found that in respect of erecting the high tension tower, the suit is pending before the civil Court and the fourth respondent has given an undertaking that he will arrange the payment of compensation to the petitioner that was also accepted by the petitioner, if the property belongs to the petitioner. On the basis of the undertaking, the complaint was closed.

4. What ever it may be, the suit is pending before the Civil Court, there is no question of harassment here.

5. In view of the undertaking given by the fourth respondent herein, nothing survives for further consideration in this matter. Hence, this Criminal Original Petition is dismissed as infructuous.

07.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Superintend of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Inspector of Police,
Naaraikinaru Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J

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Order made in
Crl.O.P.(MD)No.3886 of 2023

Dated : 07.03.2023