



Crl.O.P(MD) No.6883 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 07.07.2023

CORAM:

The Hon`ble Dr.Justice **D.NAGARJUN**

Crl.O.P.(MD)No.6883 of 2023

Balasubramanian

... Petitioner

Vs

1.The Commissioner of Police,
Office of Commissioner of Police,
Race Course Road,
Madurai City -625002.

2.The Assistant Commissioner of Police,
Thideer Nagar,
Madurai City.

3. Senthilkumar

4. S.Thamaraiselvi

5. P.Sivakumar

6. T.Karthick

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to issue a direction to the 2nd respondent herein not to harass the petitioner under the guise of enquiry upon the complaint of the Respondents No. 3 to 5 by considering



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the petitioner's representation dated 05.04.2023 within the time stipulated by the Court and for other relief.

For Petitioner : M/S. J.Lawrance
For R1 & R2 : SS.Madhavan
Government Advocate (Criminal Side)
For R4 : Mr.Arivalagan
For R5 & R6 : Mr.M.Solaisamy

ORDER

This Criminal Original Petition is filed seeking for a direction to the police not to harass the petitioner on the basis of the complaint given by the respondents 4 and 5 respectfully.

2. It is submitted by the learned counsel for the petitioner that he has purchased the property from the respondents 3 and 4 under registered sale deed and at the time of final registration when the document is presented, the fourth respondent stated to have given a complaint objecting for registration, thereby registration was kept pending. The



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petitioner stated to have preferred an appeal before the District Registrar and the appeal is pending.

3. The grievance of the fifth respondent is that, the petitioner even before the sale deed has been executed by the fourth respondent in his favour, has executed an agreement with the fifth respondent and borrowed a sum of Rs.50,000/- as an advance and thereby the petitioner has cheated him. The petitions filed by the fourth respondent and the petitions filed by the fifth respondent have been taken cognizance by the police and registered them as two separate CSRs and notice have been given by the petitioners.

4. It is submitted by the learned Government Advocate (crl.side) that even after receipt of the notice of the police, the petitioner instead of appearing before the police and submitting the reply, has approached this Court alleging that the police are harassing him.

5. Therefore, the petitioner is directed to appear before the police who is directed to issue notice to all the parties and consider the



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application filed by the respondents 4 and 5. If any element of criminal issue exists, the police department is at liberty to take appropriate action.

However, it is needless to state that the police are not expected to interfere in a civil case. The police are further directed to dispose of the application of the respondents 4 and 5 as expeditiously as possible not later than four weeks from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is disposed of.

07.07.2023

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

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Office of Commissioner of Police,
Race Course Road,
Madurai City -625002.
2. The Assistant Commissioner of Police,
Thideer Nagar,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR. D.NAGARJUN, J.

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ORDER
IN
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