



Crl.O.P.(MD)No.9950 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.9950 of 2023

1.Abbas Ali
2.Ansar Ali Balg
3.Hussain Ali Balg

...Petitioners

Vs.

1.The State of Tamil
Rep. by the Superintendent of Police,
Theni District,
Theni.

2. The Inspector of Police,
Periyakulam Vadakarai Police Station,
Periyakulam,
Theni District.

3.Janab A. Abbas

.... Respondents

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., for issuing a direction to the 2nd respondent not to harass the petitioners on the alleged complaint given by the defacto complainant viz., the third respondent, before the 2nd respondent.



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Crl.O.P.(MD)No.9950 of 2023

For Petitioner : Mr.P.M. Vishnuvarthanan
For Respondents 1 and 2 : Mr.B. Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed for issuing direction to the 2nd respondent not to harass the petitioners on the complaint given by the defacto complainant viz., the third respondent, before the 2nd respondent.

2, The learned Additional Public Prosecutor appearing for the respondents police would submit that on the basis of the complaint given by the third respondent against this petitioner an enquiry was undertaken and during the course of enquiry, finding that a civil suit is pending between the parties and hence, they were advised to work out their remedy in the pending suit itself and accordingly, the said complaint was closed.

3. The grievance of the petitioner is that by way of the said closure, the 2nd respondent has prevented the petitioners from entering into the property.



Crl.O.P.(MD)No.9950 of 2023

4. As no direction is obtained either by these petitioners or by the third respondent and in the enquiry report they have given an undertaking. Without any basis this sort of allegation is made against the 2nd respondent. Since the suit is pending between the parties, the petitioner shall work out the remedy in the point of civil proceedings.

5. With the above observation, this Criminal Original Petition is disposed of.

08.06.2023

Index : Yes / No
Internet : Yes / No
trp

To

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

2. The Inspector of Police,
Periyakulam Vadakarai Police Station,
Periyakulam,
Theni District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.9950 of 2023

G.ILANGOVA, J

trp

Order made in
Crl.O.P.(MD)No.9950 of 2023

Dated :08.06.2023