



Crl.O.P.(MD)No.9826 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **07.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.9826 of 2023

T.C.Amarnath

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The State rep. by
The Inspector of Police,
Nesamani Nagar Police Station (Circle),
Nagercoil, Kanyakumari District.

3.Maheswari

4.Usha

5.Kanagaraj

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent not to harass under the guise of enquiry or interfere with the petitioner's peaceful possession and enjoyment of the property lawfully belonged to him as the same is amounting to interference in the dispute relating to the civil in nature.

For petitioner : Mr.B.Prahalad Ravi

For R1 & R2 : Mr.B.Nambiselvan,
Addl. Public Prosecutor.

For R3 : Mr.C.K.M.Appaji



ORDER

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This criminal original petition has been filed seeking direction to the 2nd respondent not to harass under the guise of enquiry or interfere with the petitioner's peaceful possession and enjoyment of the property lawfully belonged to him as the same is amounting to interference in the dispute relating to the civil in nature.

2.Mr.C.K.M.Appaji, learned counsel proposed to file vakalath for the third respondent. He would submit that originally the property was let out to the petitioner for a limited period. Later without their knowledge, it was extended by forging the endorsement. Based upon which only he made a complaint.

3.But reading of the complaint does not disclose any such allegation against this petitioner. The allegation is with regard to the blockage and some improvement made by this petitioner in the above said premises.

4.The learned Additional Public Prosecutor would submit that in the enquiry, both the parties have appeared and gave statement that they will not make any trouble to each other. The petitioner gave a statement



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that no improvement will be made without the permission of landlord. It is also stated that a suit is pending between the parties in respect of the very same property, on the basis of the some alleged sale agreement.

5.Let the parties workout their remedy in the pending suit itself. If any fabrication of records has been made by the petitioner, it is for the third respondent to take proper action. Absolutely, that allegation is not found place in the above said complaint. Therefore, nothing survives in this matter for any consideration.

6.Accordingly, this criminal original petition stands disposed of.

07.06.2023

Index : Yes/No
Internet : Yes/No
TM

To

- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The State rep. by
The Inspector of Police,
Nesamani Nagar Police Station (Circle),
Nagercoil, Kanyakumari District.
- 3.The Additional Public Prosecutor,



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Madurai Bench of Madras High Court,
Madurai.

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G.ILANGOVA. J.

TM

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