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CrI.O.P.(MD)No.10852 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.06.2023**

CORAM:

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

CrI.O.P.(MD)No.10852 of 2023

1.Maruthai

2. Angammal

.

.. Petitioners

Vs.

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

2.The Inspector of Police,
Fort Police Station,
Trichy City.

3.P.M.Gopal

... Respondents/Complainants

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent not to harass the petitioner under the guise of enquiry on the complaint given by the 3rd respondent.

For Petitioner : Mr.T. Leninkumar

For Respondents 1 & 2 : Mr.B. Nambiselvan
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed for issuing direction to the 2nd respondent not to harass the petitioner under the guise of enquiry on the complaint given by the 3rd respondent.

2. The learned Additional Public Prosecutor appearing for the respondents police would submit that it is a issue between the brothers over the possession of same property, for which, counter complaint has been given by both sides. On the basis of the complaint given by this petitioner against the counter party a case has been registered in Crime No.1443 of 2022.

3. The learned counsel appearing for the petitioners would submit that over the above said issue first petitioner's daughter filed a suit against the counter party seeking permanent injunction and the same is pending before the II Additional District Munsif, Trichy. He would further submit that the petitioner has also filed W.P(MD).No.19745 of 2022 before this Court challenging the impugned order passed by the Revenue Divisional Officer, wherein, interim order also passed on the basis of the undertaking given by the first petitioner that he will not deal



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with the property or encumber it in any manner. After passing of the above said order, dated 05.08.2022, FIR was registered on 20.10.2022.

4. The learned Additional Public Prosecutor would submit that for the sake of complaints given by the parties, they were called for enquiry on 19.06.2023 and both the parties appeared and it is posted on 23.06.2023.

5. In the light of the above said order passed by this Court and that the suit is pending, let the enquiry be conducted within a week from the date of appearance of the parties.

6. With the above direction, this Criminal Original Petition is disposed of.

21.06.2023

Index : Yes/No
Internet : Yes/No
trp



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To

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



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G.ILANGOVAN. J.

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