



WEB COPY

Crl.O.P.(MD)No.12900 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.12900 of 2023

Jeba Raj

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District, Nagercoil

2.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent Police not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.M.R.Sreenivasan
For R1 & R2 : Mr.SS.Madhavan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to respondent No. 2 Police not to interfere with the civil dispute between the petitioner and one Krishnadhas.



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2. It is submitted by learned counsel for the petitioner that there are disputes between the petitioner and one Krishnadhas in respect of five cents of property in Re-Survey No.171/5, situated at Vellancode Village, Vilavancode Taluk, Kanyakumari District. The petitioner has filed O.S.No.198 of 1999 before the learned District Munsif, Kuzhithurai, against the said Krishnadhas, seeking for the relief of permanent injunction and the said suit was decreed. Subsequently, the said Krishnadhas has filed A.S.No.72 of 2005 on the file of the Sub Court, Kuzhithurai and the same was dismissed on 07.10.2009 and challenging the same, the said Krishnadhas stated to have filed S.A. (MD).No.876 of 2010 before this Court and the same was also came to be dismissed on 15.03.2022. Now, it is submitted that after reaching the finality of the dispute between the petitioner and the said Krishnadhas, the said Krishnadhas has resorted to see that the petitioner is harassed, and thereby, approached respondent Nos.1 and 2 and filed a complaint and based on that, respondent Nos.1 and 2 are harassing the petitioner. Thereby, he sought for suitable directions.

3. Learned Government Advocate (Criminal Side) on the other hand submits that basing on the representation given by the Krishnadhas, the Police have registered the same in C.S.R.No.391 of



2023 and after conclusion of the enquiry, the said C.S.R was closed on 30.05.2023, wherein, during the course of enquiry, the said Krishnadhas has himself has withdrawn the said complaint, stating that he will resolve the issues before the competent Civil Court.

4. Since the respondent Police stated to have been closed the representation given by the said Krishnadhas against the petitioner, no further orders are required to be passed in this petition. However, it is needless to say that since the dispute between the petitioner and the said Krishnadhas has reached finality in respect of the disputed land, the respondent Police shall not interfere in the civil dispute between them.

5. With this observation, this Criminal Original Petition is closed.

18.07.2023

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



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Superintendent of Police,
Kanyakumari District, Nagercoil
- 2.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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