

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.08.2023**

CORAM:

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

Crl.O.P.(MD) No.14331 of 2023

S.Sahul Hameed

... Petitioner

Vs.

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

2.The Inspector of Police,
Land Grabbing Special Cell,
New District Police Office Campus,
Thanjavur, Thanjavur District.

3.S.Habeep Ammal

4.R.Sriram

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent Police not to harass the petitioner under the guise of enquiry by involving civil dispute based on the petitioner's representation dated 27.07.2023.

For Petitioner :Mr.A.Saravanan

For R1 and R2 :Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the respondent police not to harass the petitioner under the guise of enquiry basing on a complaint given by the respondent No.3 dated 05.06.2023.

2.According to the petitioner, there are civil disputes between the petitioner and the unofficial respondent Nos.3 and 4. The respondent No.4 has filed a civil suit in O.S.No.11 of 2023 on the file of the District Munsif cum Judicial Magistrate Court, Thiruvidaimaruthur against the petitioner as well as the respondent No.3 not to evict him without following due process of law and the same is pending. It is submitted that on a complaint allegedly given by the respondent No.3, the respondent Nos.1 and 2 police are harassing the petitioner, thereby the petitioner has sent a representation to the respondent No.1 on 27.07.2023 and therefore, sought for suitable directions.

3.The learned Government Advocate (Crl.side) on the other hand submits that the representation dated 27.07..2023 has been received from the Superintendent of Police and an enquiry is being initiated and summons were issued to the petitioner. However, the petitioner failed to appear and without approaching the police and submitting the requisite documents, the petitioner has filed this petition prematurely.

4.Considering the submissions made by the learned counsel on either side and on perusal of the documents filed before this Court, this Petition is disposed of directing the petitioner to appear before the police immediately and further, the respondent police are directed to dispose of the representation of the petitioner dated 27.07.2023 as expeditiously as possible, not later than 2 weeks from the date of appearance of the petitioner by following the procedure established under the law.

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

11.08.2023

mm

To

- 1.The Superintendent of Police,
Thanjavur District, Thanjavur.
- 2.The Inspector of Police,
Land Grabbing Special Cell,
New District Police Office Campus,
Thanjavur, Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD) No.14331 of 2023

DR.D.NAGARJUN. J.

mm

Crl.O.P.(MD)No.14331 of 2023

11.08.2023