



Crl.O.P.(MD) No.14628 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.14628 of 2023

Subramanian

... Petitioner

Vs.

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

2.State Rep. by its,
Inspector of Police,
Samayapuram Police Station (Crime),
Trichy District.

2.Sanmugaraj

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to harass the petitioner and consider the petitioner's representation dated 03.07.2023.

For Petitioner	: Mr.S.B.Kayvin Prince
For R1 & R2	:Mr.B.Thanga Aravindh
	Government Advocate (Crl.side)



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ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the second respondent not to harass the petitioner by considering the petitioner's representation dated 03.07.2023.

2. It is submitted by the learned counsel for the petitioner that the father of the third respondent has sold the portion of property in favour of one Francis Xavier and in turn the petitioner purchased the said portion of the land from Francis Xavier on 31.01.2018. However, the third respondent tried to interfere with the property, thereby, the petitioner filed a suit in O.S.No.122 of 2019 and the same was decreed in favour of the petitioner and similarly, the third respondent has filed a civil suit in O.S.No.237 of 2017 and that was dismissed and subsequently, when the third respondent has tried to interfere, he filed an application before the respondent police, however, they have not taken any steps. Therefore, he has approached this Court by filing Crl.O.P.(MD)No.1288 of 2019 and this court passed the following order:-

“Therefore, the prayer sought for by the petitioner cannot be



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considered. Hence, this Criminal Original Petition is dismissed.

However, the petitioner is at liberty to approach the Civil Court for appropriate relief in manner known to law, if so advised."

3. It is now submitted that on a false complaint given by the third respondent, the respondent police has been harassing the petitioner every day and he has filed an application against the third respondent, dated, 03.07.2023, however, no action being taken.

4. The learned Government Advocate (Crl.side) submitted that the complaint given by the petitioner is registered as C.S.R.No.510 of 2023 and for the complaint given by the third respondent is registered as C.S.R.No.420 of 2023 and both of them being enquired into and when the petitioner was directed to appear for enquiry, instead of appearing before the police for enquiry, the petitioner has approached this Court by filing this petition.

5. Considering the submission of the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents and perusal of the documents available before this Court, this



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petition is disposed of directing the petitioner to appear before the respondent police for enquiry on receipt of summons and the respondent police are directed to dispose both the CSRs as quickly as possible within a period of two weeks from the date of receipt of a copy of this order by considering the civil suit decreed in favour of the petitioner.

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

21.08.2023

To

- 1.The Superintendent of Police,
Trichy,
Trichy District.
- 2.The Inspector of Police,
Samayapuram Police Station (Crime),
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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